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J. H. Hunt.



THE FOURTH ESTATE :

CONTRIBUTIONS TOWARDS

A HISTORY OF NEWSPAPERS, AND OF THE LIBERTY OF THE PRESS.

BY F. KNIGHT HUNT.

IN TWO VOLS.

VOL. I.

"What is it that drops the same thought into ten thousand minds at the same moment ?
—the Newspaper."

DE TOCQUEVILLE.

"There she is—the great engine—she never sleeps. She has her ambassadors in every quarter of the world—her couriers upon every road. Her officers march along with armies, and her envoys walk into statesmen's cabinets. They are ubiquitous. Yonder Journal has an agent at this minute giving bribes at Madrid ; and another inspecting the price of potatoes at Covent Garden."

PENDENNIS.

LONDON :

DAVID BOGUE, 86, FLEET STREET.

MDCCCL.



LONDON :

HENRY VIZETELLY, PRINTER AND ENGRAVER,

GOUGH SQUARE, FLEET STREET.

The Third Estate is the^a designation
the English 'commons' as ~~opposed~~
it ind- from the Lords Spiritual
d the Lords Temporal. The
urth Estate is The Press.

TO THE
JOURNALISTS OF ENGLAND,
AND TO THEIR "CONSTANT READERS,"
THESE CONTRIBUTIONS TO
THE HISTORY OF
THE FOURTH ESTATE
ARE DEDICATED.



PREFACE.

THE following pages are offered only as contributions towards the history of a subject which has been hitherto almost unattempted. The merit they may claim is that of having brought together, in a distinct and tangible form, a number of previously scattered dates and passages illustrative of the History of the Newspaper Press. The writer would fain call to the reader's mind an anecdote familiar to those who have enjoyed the pleasant pages of Charles Lamb. The essayist is speaking of one of his own title-pages, and says, Do not call these my *works*, but my recreations; my works are in the ledgers of Leadenhall Street. In all humility this deprecatory explanation of Elia may be repeated. The following pages have been completed during disjointed odds and ends of time, before or between, or after, real work;—in the half

hours that could be filched from heavier duties. When the task was entered on the writer was not sanguine enough to suppose he could avoid omissions and other errors; but he had a hope, still indulged—that those into whose hands these volumes may pass, will, when inclined to point out the defects of the book, have the kindness also to assist in supplying the omissions. The materials for a satisfactory History of Newspapers lie scattered in facts, known one to this person and one to that. If each London or Provincial Journalist—each reader, and each critic—who has an anecdote or a date, would give it publicity, some future volume might be prepared from the combined supply, much more complete than any to be fairly expected from a comparatively unaided writer, who ventures upon an almost untrodden path.

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THE FOURTH ESTATE.

CHAPTER I.

INTRODUCTORY. WHAT IS THE FOURTH ESTATE?

"The press is mistress of intelligence, and intelligence is mistress of the world."—B. CONSTANT.

Newspapers a necessity of modern civilized life.—The World brought by them to the breakfast-table, to amuse and to teach the reader.—What Newspapers contain.—Their History hitherto unwritten.—The Journalist has no leisure.—The interest and importance of the subject.—Dr. Johnson.—Lords Mansfield and Lyndhurst.—Canning.—Thiers.—Macaulay.—Southey.—Bulwer.—Captain Marryatt.—The English Opium-Eater.—The power and value of the Press have made it a Fourth Estate.

ALL men, now-a-days, who read at all, read Newspapers. Go where you will, you see the broad sheet that tells the Passing History of the World We Live In, and that reflects the real life—the feelings, the actions, the aspirations and the prejudices—the glory and the shame of the Men of To-Day. It shows us the only world we can see, and walk over, and move amongst; the only world we can test by our personal experience and our outward senses. What wonder, then, that Newspapers have grown upon us until they have become a positive necessity of civilized existence—a portion, indeed, of modern civilization. If History be experience teaching by the example of

past times, the Newspaper is a teacher offering much better evidence. The journal gives us, day by day, the experience of the world as it exists round about us, ready to avouch the truth of the journalist—gives, day by day, and week by week, the experience of the whole world's doings for the amusement and the guidance of each individual living man. It is a great mental camera, which throws a picture of the whole world upon a single sheet of paper.

But though a great teacher, and an all-powerful instrument of modern civilization, there is no affectation of greatness about it. The Newspaper is the familiar of all men, of all degrees, of all occupations. If it teaches, it teaches imperceptibly. It has no pompous gown, or scholastic rod, to abash or to control, but prepares itself, and is admitted freely and at once to a world-wide intimacy with all kinds and conditions of people. For the idle, it is a friendly gossip; to the busy, it shows what business is on hand; for the politician, it reflects the feelings of party; for the holiday-maker, it talks about new plays, new music, and the last exhibition. Its ample page is full of the romance of real life, equally with the facts of real life. The types that to-day tell how a king abdicated, or a good man died, tell to-morrow the price of logwood or of tallow. As they stand side by side, those tall columns of words show us the hopes of the sanguine, and the sufferings of the unfortunate; they hang out the lure of the trader who would sell his wares, and of the manager who would fill his theatre; shoulder by shoulder are the reports of regal and noble festivities, and lists of bankrupts and insolvents, and

in as many paragraphs we find linked the three great steps of a generation—the births, the marriages, and the deaths. No wonder, then, that whilst the world grows tired of orators, and weary of the mimic stage, it should be more and more faithful in its reference to the intellectual familiar that drops, as De Tocqueville says, the same thought into the ten thousand minds at the same minute; or more attached to the friendly broadsheet that reflects truly and promptly the ever-changing, but ever-exciting, scenes of the great drama of real life.

Yet of the thousands who take up their favourite journal with as much punctuality as they take their breakfast, how many have ever asked themselves in what way this punctual friend of theirs—this matutinal source of information and excitement—became a necessity of modern life? They look to their Newspaper to amuse their leisure; to advance their trade; to seek how best they may satisfy their wants; to watch how their favourite opinions are progressing; how their friends are praised, and their foes are denounced. Nor are they disappointed, for the same varied page shows how the world goes on its way, now rejoicing and now grieving; how war kills its thousands in one place, whilst commerce and industry are winning nobler victories in another. Nothing seems too trivial for the vigilance of the journalist. Nothing beyond the reach of his capacity. The last great battle, and the latest fashion—the most important and the most trivial of human affairs—find place in the columns of the Newspaper. And how are these thousand great and small things concentrated, day by day, in these compact

columns of facts and opinions, rumours and occurrences? How come these voices from all quarters of the globe to teach and to amuse? What hidden influences, what strange machinery, what ever-active, never-tiring elements, what active brains are at work to achieve this continuous result?

It is somewhat curious that, whilst so many pens have now for generations been busy in labouring for the Newspaper Press, no one of them ever found time to attempt its history. Various writers have expatiated on the importance of the subject, but no one has hitherto ventured on its treatment as a distinct topic, except in meagre articles for eyelopædias, or discursive papers in a magazine. The reason of this, perhaps, has existed in the feeling that none but a journalist could obtain the materials for completing the task, and that those who had power over the materials had not time to use them for such a purpose. And, in truth, the man who once becomes a journalist must almost bid farewell to mental rest or mental leisure. If he fulfils his duties truthfully, his attention must be ever awake to what is passing in the world, and his whole mind must be devoted to the instant examination, and discussion, and record of current events. He has little time for literary idleness with such literary labour on his shoulders. He has no days to spend on catalogues, or in dreamy discursive searches in the stores of public libraries. He has no months to devote to the exhaustion of any one theme. What he has to deal with must be taken up at a moment's notice, be examined, tested, and dismissed at once, and thus his mind is kept ever occupied with the mental necessity

of the world's passing hour. Else, most assuredly, some Newspaper writer would long since have written a history of the Newspaper Press, for the public have been reminded often enough how important, how curious, and how interesting the subject must be.

Thinkers of all classes have borne testimony in favour of the Newspaper Press. Scholars, statesmen, essayists, jurists, reviewers, novelists, and poets, have been ready to bear witness to the importance of Journalism, and of the Liberty of the Press. In the ripe autumn of his years and knowledge, Dr. Johnson said, "I never take up a Newspaper without finding something I should have deemed it a loss not to have seen; never without deriving from it instruction and amusement." There is an anecdote on record of Lord Mansfield and the press:—A foreigner who had visited our courts of justice, remarked to Lord Mansfield that he was surprised to find them attended by so few of the public. "No matter, sir," replied the Chief Justice, "we sit every day in the Newspapers." It is the Newspaper that secures that publicity to the administration of the laws which is the main source of its purity and wisdom. "To say, then, an English Judge is incorrupt," observed Dr. Parr, "is scarcely to praise him." This is one triumph of the Newspapers. Another high legal authority, Lord Lyndhurst, declares—"I am sure, that every person will be willing as I am to acknowledge, in the most ample terms, the information, the instruction, and amusement derived from the public press." To pass from legal to ministerial authority, we find Canning declaring, that "he who, speculating on the British Constitution, should omit from his enumeration the mighty power of public

opinion, embodied in a free press, which pervades and checks, and perhaps, in the last resort, nearly governs the whole, would give but an imperfect view of the Government of England." From an English, let us turn to a French statesman. M. Thiers says:—"The Liberty of the Press affords a channel through which the injured may challenge his oppressor at the bar of the nation; it is the means by which public men may, in case of misconduct, be arraigned before their own and succeeding ages; it is the only mode in which bold and undisguised truth can press its way into the cabinets of monarchs; and it is the privilege, by means of which, he who vainly lifts his voice against the corruptions or prejudices of his own time, may leave his councils upon record as a legacy to impartial posterity. The cruelty which would deafen the ear and extinguish the sight of an individual, resembles in some similar degree his guilt also who, by restricting the freedom of the press, would reduce a nation to the deafness of prejudice and the blindness of ignorance. The downfall of this species of freedom, as it is the first symptom of the decay of national liberty, has been in all ages followed by its total destruction, and it may be justly pronounced that they cannot exist separately." From the days of Milton to the present hour, the world has been urged to recognise the importance of a free press. Macaulay, in his sketch of the condition of the English labourers in the days of the Stuarts, says, as a proof of their unhappy state when compared with their successors in our time:—"No newspaper pleaded their cause;" and, in his review of Southey's *Colloquies on Society*, argues against the interference of a government

with the freedom of the press. "Men are never," he says, "so likely to settle a question rightly, as when they discuss it freely. A government can interfere in discussion, only by making it less free than it would otherwise be. Men are most likely to form just opinions, when they have no other wish than to know the truth, and are exempt from all influence either of hope or fear. Government can bring nothing but the influence of hopes and fears to support its doctrines. It carries on controversy not with reasons, but with threats and bribes. If it employs reasons, it does so not in virtue of any powers which belong to it as a government. Thus, instead of a contest between argument and argument, we have a contest between argument and force. Instead of a contest in which truth, from the natural constitution of the human mind, has a decided advantage over falsehood, we have a contest in which truth can be victorious only by accident." Other modern writers have been equally decided in their declared opinions. "The Newspaper," quoth Bulwer, "is the chronicle of civilization, the common reservoir, into which every stream pours its living waters, and at which every man may come and drink; it is the Newspaper which gives to liberty practical life, its perpetual vigilance, its unrelaxing activity; the Newspaper is a daily and sleepless watchman that reports to you every danger which menaces the institutions of your country, and its interests at home and abroad. The Newspaper informs legislation of the public opinion, and it informs people of the acts of legislation; thus keeping up that constant sympathy, that good understanding between people and legislators, which conduces to the mainte-

nance of order, and prevents the stern necessity for revolution. The Newspaper is a law-book for the indolent, a sermon for the thoughtless, a library for the poor." Another novelist, Captain Marryatt, echoes the same strain when he declares, that "Newspapers are a link in the great chain of miracles which prove the greatness of England, and every support should be given to them." The English Opium-Eater is eloquent on the quiet useful victories of the press. "Much already has been accomplished: more than people are aware; so gradual and silent has been the advance. How noiseless is the growth of corn! Watch it night and day for a week, and you will never see it growing; but return, after two months, and you will find it all whitening for the harvest. Such, and so imperceptible in the stages of their motion, are the victories of the press."

By the value and fidelity of these various services, now rendered day by day, the Newspaper has earned its power and its position; has grown with increasing years, and strengthened with increasing rectitude, until it has received the cognomen, and wields the power of a FOURTH ESTATE. To trace the steps by which, from small beginnings, it has reached its present elevation is the chief object of the following pages.

CHAPTER II.

NEWS-LETTERS AND NEWS-WRITERS—FORERUNNERS OF NEWSPAPERS.

“News of the morning?—I would fain hear some,
Fresh from the forge.” BEN JONSON.

Date of the First English Newspaper.—Its Author, and his craft.—What constitutes a Newspaper.—The News-letters.—Ben Jonson’s Sketch of the News-writer’s Office.—The Staple of News.—Cavaliers and Roundheads, and the modes of circulating News.—Cromwell at the Blue Boar, Holborn.—Coffee and News-letters at Cambridge.—Titus Oates and Mr Coleman.—Tragic End of a News-writer.—The Newspaper Forgery and its Detection.—Dr. Johnson and the *Acta Diurna*.—Venice and its Gazettes.

WHEN the reign of James the First was drawing to a close; when Ben Jonson was poet laureate, and the personal friends of Shakspeare were lamenting his then recent death; when Cromwell was trading as a brewer at Huntingdon; when Milton was a youth of sixteen, just trying his pen at Latin verse, and Hampden a quiet country gentleman in Buckinghamshire; London was first solicited to patronise its first Newspaper. There is now no reason to doubt that the puny ancestor of the myriads of broad sheets of our time was published in the metropolis in 1622, and that the most prominent of the ingenious speculators who offered the novelty to the world was one Nathaniel Butter. His companions in the work appear to have been Nicholas Bourne, Thomas Archer, Nathaniel Newberry, William Sheffard, Bartholomew Downes,

and Edward Allde. All these different names appear in the imprints of the early numbers of the first Newspaper—THE WEEKLY NEWES. What appears to be the earliest sheet bears date the 23rd of May (1622), and has the names of Bourne and Areher on the title; but as we proceed in the examination of the subject, we find that Butter becomes the most conspicuous of the set. He seems to have been the author and the writer, whilst the others were probably the publishers; and, with varying titles, and apparently with but indifferent success, his name is found in connection with Newspapers as late as the year 1640.

No claim for very great originality or genius can be put in for Butter. His merit consists in the simple fact that he was the first to print what had long been written—to put into type what he and others had been accustomed to supply in MS.; the first to give to the News-letters of his time the one characteristic feature which has distinguished Newspapers ever since. He offered the public a printed sheet of News to be published at stated and regular intervals. Already hosts of printed papers, headed with the word “Newes,” had been issued; but they were mere pamphlets—each-pennys, printed one now and another then, without any connection with each other, and each giving some portion of intelligence thought by its author to be of sufficient interest to secure a sale. The Weekly News was distinguished from them all by the fact of its being published at fixed intervals, usually *a week* between each publication, and that each paper was numbered in regular succession, as we have Newspapers numbered at the present day. Holding to

this description of what a Newspaper is, and on the authority of the earliest printed papers in the public libraries, to Nathaniel Butter belongs the renown of being foremost as a Newspaper projector.

The step he took, though great in its ultimate consequences, was one very simple and natural, and easily understood. He had been a News-writer; an author of News-letters: one of a class of persons then engaged in London as general correspondents, having offices whence they despatched packets of News to persons of consideration in the country who were rich enough to afford such a luxury. Though printing presses had been at work in England for a hundred and fifty years,* and though the Reformation had allowed them greater freedom than was known where the Roman faith still flourished, the invention of Gutenberg had not been employed for the systematic dissemination of intelligence relative to passing events. Stray pamphlets told now and then how a great flood had devastated the western eounties, or how a witch had been burned, or how Gustavus had fought a great battle; but the punctual record of the history of the passing time, week by week, was a thing unattempted till the *News-writer*, Nathaniel Butter, became a *News-printer*.

Like many projectors, both before and since, it would seem that Butter gained more notoriety than profit by his invention. The wits laughed at the News-writer, and the public barely supported his paper. In proof of which we have Ben Jonson's Comedy, "The Staple of News,"

* Caxton left Cologne in 1471 to set up his press in Westminster Abbey, and his first book, the Game of Chess, was completed in 1474.

and a file in the British Museum showing how indifferently the first Newspaper thrrove. Yet, however much the journalist may have winced under the jests of the poet laureate, it is fortunate the jokes were made, since they live in the pages of "rare Ben," and afford us a picture not only of the News-writer's office, but of the temper in which his productions were popularly regarded. The poet's sketch is evidently faithful in its main features, and valuable as our chief record of a class and calling long since superseded by the progress of education and of the press.

It was after an absence of fourteen years from the stage that Ben Jonson again resumed his pen to write for the people. He had, during that long period, been chiefly occupied in the preparation of Masques to amuse the court; and, when he again sought a subject for the humbler audience of the Globe Theatre, he chose one which gave him an opportunity of exciting the mirth of the play-goers at the expense of a noticeable novelty of the day;—something tolerably new and sufficiently strange, and therefore suited to his purpose. The quick eye of the dramatist saw at a glance some of the absurdities attending the mode then in full play for the publication of News. Hence we have the News office seized as a peg to hang a plot upon, and taken, moreover, as a likely title for a new comedy. Jonson's *Staple of News* * was first acted

* THE STAPLE OF NEWS was first acted by "His Majesty's Servants" in 1625, and entered soon after in the Stationers' Books, though no earlier copy of it is known than that of the old folio, which bears date in 1631.—*Gifford's Edition of Ben Jonson.*

in 1625, and diverted the audience at the expense of the then active business of the News-writer.

Upon opening the play, we find, in the Induction, *Gossip Tattle* repeating what was no doubt a common remark of the days when News travelled slowly :—

Gossip Tattle. Look your news be new and fresh, Master Prologue, and untainted. I shall find them else, if they be stale or fly-blown, quickly.

But a little further on, in his Prologue for the King and Court, Ben Jonson explains :—

Although our title, sir, be News,
We get adventures here to tell you none,
But show you common follies, and so known,
That though they are not truths, the innocent muse
Hath made so like, as phant'sy could them state,
Or Poetry, without scandal, imitate.

The News office was, if we are to believe the dramatist, one of the “common follies” of the day, sketched not truly but

——— so like, as phant'sy could them state.

The portrait of the earliest journalist is certainly much more amusing than complimentary, and the poet has not hesitated to write down to his audience ; and that there might be no misapprehension as to his intention of giving them a caricature of Nathaniel Butter, he does not hesitate, as will be seen, to introduce the name of the News-writer into the dialogue. It may be premised that the poet lays the scene of his play in London, and, amongst the persons of his drama, we find a spendthrift heir, young *Pennyboy*, who has an uncle an usurer, and a father who is described as “the canter.” The author of the first Newspaper figures as *Cymbal*, “master of the Staple (of news), and prime

jeerer," whilst his emissaries, or reporters, are *Fitton*, Court emissary—the first court circular, and great original of all subsequent collectors of fashionable news; and *Picklock*, man o' law and emissary, Westminster, a kind of legal and general reporter. We have also *Madrigal*, a poetaster; *Almanac*, a doctor of physic; and *Lickfinger*, a cook and "parcel poet." In the opening scenes, young Pennyboy exults in his newly acquired liberty and wealth, and delights his tailor, his barber, and all others who approach him by a most hilarious liberality. *Thomas* the barber enters to dress his beard, whilst *Fashioner* the tailor stands by, and the News-office is introduced:—

Pennyboy. Set thy things upon the board,
And spread thy cloths, lay all forth, in *procinatu*,
And tell's what News?

Thomas. O, Sir, a Staple of News!
Or the New Staple, which you please.

Pennyboy. What's that?

Fashioner. An Office, sir, a brave young Office set up:
I had forgot to tell your worship.

Pennyboy. For what?

Thomas. To enter all the News, sir, of the time.

Fashioner. And vent it as occasion serves: a place of huge
commerece it will be!

Pennyboy. Pray thee, peace;
I cannot abide a talking tailor: let Tom
(He is a barber) by his peace relate it.
What is't an Office, Tom?

Thomas. Newly erected,
Here in the house, almost on the same floor,
Where all the news of all sorts shall be brought,
And there be examined, and then register'd,
And so be issued under the seal of the office,
As Staple News; no other news be current.

Pennyboy. 'Fore me, thou speak'st of a brave business, Tom.

The tailor puts in a word here, anxious to help the description by saying something about Butter :—

Fashioner. Nay, if you knew the brave that hatch'd it.

But the heir stops him with a jest at the expense of tailors in general, and bids the barber proceed :—

Thomas. He tells you true, sir ; master Cymbal
Is master of the office ; he projected it,
He lies here, in the house ; and the great rooms
He has taken for the office, and set up
His desks and classes, tables and his shelves.

But Fashioner, the tailor, will have his word, and glories in the fact that he makes clothes for a wit and an inventor, who has reporters in his pay :—

Fashioner. He is my customer, and a wit, sir, too ;
But he has brave wits under him.

Thomas. Yes, four emissaries.

Pennyboy. Emissaries ? Stay, there's a fine new word, Tom.
Pray God it signify anything ! What are emissaries ?

Thomas. Men employed outward, that are sent abroad
To fetch in the commodity.

Fashioner. From all regions,
Where the best news are made.

The tailor will not be restrained when his customer is being described :—

Thomas. Or vented forth.

Fashioner. By way of exchange, or trade.

Pennyboy. Nay, thou wilt speak—

Fashioner. My share, sir, there's enough for both.

Pennyboy. Go on then,
Speak all thou canst : methinks the ordinaries
Should help them much.

Fashioner. Sir, they have ordinaries,
And extraordinaries, as many changes,
And variations, as there are points in the compass.

Thomas. But the four cardinal quarters.

Pennyboy. Ay, those, Tom—

Thomas. The Court, sir, Paul's, Exchange, and Westminster Hall.

Here we have the four points named where News was eurrent in London before Newspapers eollected it from all parts of the globe. The Court, which at this time, and for long afterwards, was a great eentre for gossip, ranks first; whilst old St. Paul's—the gothie predeeessor of the present building—was the seecnd spot where people of different eonditions met to talk over affairs. The eitizens paced the aisle of the chureh to give and reeeive intelligenee; to chat over events; to speculate on the future; and to make bargains in their trade. The Exehange stood third, and doubtless afforded the City News of how the Lord Mayor felt affected towards the Court; for Lord Mayors were then not sueh mere empty formalities as now.* Lastly we have, Westminster Hall, another sheltered spot where men might eongregate to learn not only the law's deeisions, but the progress of events. To these loealities we find our News-writer, Mr. Butter, is supposed to despatch his emissaries. But the heir, having learned all these particulars about the new offee, wishes to know who is the head and front of the novel undertaking:—

Pennyboy. Who is the chief? Which hath preecedency?

* One of these civic sovereigns had a dispute with James the First because the merehants declined to increase their loans to the King. “If I were to move the court to York your city would be ruined,” hinted the monarch. “Your Majesty, it is true, might deprive us of your august presenee,” replied the Mayor, “but we shall still have the Thames.”

Thomas. The governor of the Staple, Master Cymbal,
He is the chief; and after him the emissaries :
First emissary Court, one Master Fitton,
He is a jeerer too.

Pennyboy. What's that ?

Fashioner. A wit.

Thomas. Or half a wit, some of them are half wits,
Two to a wit, three are a set of them.
Then Master Ambler, emissary Paul's.
A fine-paced gentleman as you shall see walk
The middle aisle : and then my froy Hans Buz,
A Dutchman, he is emissary Exchange.

Fashioner. I had thought master Burst, the merchant, had
had it.

Thomas. No,
He has a rupture, he has sprung a leak.
Emissary Westminster's indisposed of yet.

This Thomas the barber is ambitious, and would
fain be attached to the News office, and the post of
emissary Westminster stands temptingly open. He
goes on to describe the room where the intelligence is
put into shape:—

Then the examiner, register, and two clerks,
They manage all at home, and sort and file,
And seal the news, and issue them.

Pennyboy. Tom, dear Tom,
What may my means do for thee ? Ask, and have it.
I'd fain be doing some good : it is my birthday.
And I would do it betimes, I feel a grudging
Of bounty, and I would not long lie fallow.
I pray thee think and speak, or wish for something.

The barber now has the opportunity he hoped for,
and he speaks his wishes at once.

Thomas. I would I had but one of the clerk's places
In this News office.

Pennyboy. Thou shalt have it, Tom,
If silver or gold will fetch it; what's the rate?—
At what is it set in the market?

Thomas. Fifty pound, sir.

Pennyboy. An 'twere a hundred, Tom,
Thou shalt not want it.

This Figaro's calculation of the good-natured liberality of the heir proves correct, and they proceed to negotiate the affair at the News office itself, to which we are now introduced.

Enter Register and Nathaniel.

Reg. What, are those desks fit now? Set forth the table,
The carpet* and the chair; where are the News.
That were examined last? Have you filled them up?

Nath. Not yet, I had no time.

Reg. Are those News registered
That emissary Buz sent in last night,
Of Spinola and his eggs?

Nath. Yes, sir and filed.

Reg. What are you now upon?

Nath. That our new emissary
Westminster gave us, of the golden heir.

Reg. Dispatch; that's news indeed, and of importance.—

Enter a Country-woman.

What would you have good woman?

Woman. I would have, sir,
A groat's-worth of any News, I care not what,
To carry down this Saturday to our vicar.

Reg. O! you are a butter-woman; ask Nathaniel,
The clerk there.

* ——— Set forth the table,
The carpet, &c.

The embroidered rug with which tables were then covered. "In the fray one of their spurs engaged into a *carpet*, upon which stood a very fair looking-glass, and two noble pieces of porcelain, drew all to the ground, broke the glass," &c. *Character of England, Harleian Miscel., Vol. X., p. 189.*

Nath. Sir, I tell her she must stay
Till emissary Exchange, or Paul's send in,
And then I'll fit her.

Reg. Do good woman, have patience
It is not now, as when the Captain lived,
You'll blast the reputation of the office,
Now in the bud, if you dispatch these groats
So soon : let them attend in name of policy.

To have served them too quickly, would have seemed as though the News were *made* instead of being collected ; so thought the Register. On the passage—

Oh you are a butter woman, &c.

Gifford in his edition of Ben Jonson has a note, which throws some additional light on the character of the first English Newspaper projector, and upon the career of some other early News-gatherers. Gifford had himself been connected with the Newspaper press, and doubtless felt an interest in the subject.

Fletcher's Fair Maid of the Inn, which appeared a few months after The Staple of News, has a reference both to Butter and to his fellow-newsmonger, the Captain ;

For. It shall be the ghost of some lying stationer.
A spirit shall look as if *butter* would not melt in his mouth ; a new Mccurius-Gallo-Belgieus.

Cox. O, there was a *Captain* was rare at it.

For. Never think of him : though that Captain writ a full hand-gallop, and wasted more harmless paper, than ever did laxative physie, yet will I make you to out-scribble him.

Act IV., Sc. 2.

“ Both Jonson and Fletcher,” says Gifford, “ had in view Nathaniel Butter, who, if we may trust the

present account of him, was bred a stationer, failed in his profession, and betook himself to the compilation of News from all quarters. It appears, from Mr. Chalmers's inquiries, that he began his labours as early (at least) as 1611; and, if he was not the most successful, he was undoubtedly the most indefatigable of all the News-writers of his age. I have seen," continues the editor of the Quarterly Review, "pamphlets, for such were most of his publications, whether occasionally or weekly, by him, of the date of 1634, when he had swelled the firm to Butter & Co., and he probably continued to publish much longer. His foreign News, which is extremely *jejune*, is merely a bald translation from some of the Continental Mercuries; when he ventures to add a remark of his own, it is somewhat in the style of old Tiresias, or Jeffrey Neve—"What I *will either fall out or not*,"—so that he was not likely to conciliate much of Jonson's respect. The verse which mentions the Captain, is a parody of one in poor old Jeronimo:—

It is not now as when Andrea lived.

"The Captain, of whom I have nothing certain to say, appears to have rivalled Butter in the dissemination of News. In that age the middle aisle of St. Paul's swarmed with disbanded or broken ancients, lieutenants, &c., who on the strength of having served a few months in the Low Countries, assumed, like Cavaliero Shift, an acquaintance with all the great officers in the field, and amused the idle citizens with pretended intelligence from the armies. One of these (the Captain of Jonson and Fletcher) seems to have turned his inventive faculties to account, and printed

his imaginary correspondence, instead of detailing it *viva voce*.*”

To return again to Ben Jonson's comedy, which we left just as he had introduced us to the office of the Staple. Cymbal the proprietor, and Fitton the reporter enter, introducing Pennyboy :—

Pennyboy. In truth they are dainty rooms ; what place is this ?

Cymbal. This is the outer room, where my clerks sit,
And keep their sides, the register in the midst ;
The examiner, he sits private there, within ;
And here I have my several rolls and files
Of News by the alphabet, and all are put up
Under their heads.

Pennyboy. But those two subdivided ?

Cymbal. Into authentical and apoeryphal—

Fitton. Or News of doubtful credit, as barber's News—

Cymbal. And tailors' News, porters' and watermens' News.

Fitton. Where to, lee side the Coranti, and Gazetti—

Cymbal. I have the News of the sea, sir—

Fitton. As Vacation News,
Term News, and Christmas News.

Cymbal. And News of the faction.

Fitton. As the Reformed News ; Protestant News ;—

Cymbal. And Pontifical News ; of all which several,

*In *The Great Assizes*—a curious poem, mention is made of a *Captain Rashingham*, a great compiler of News, whose occupation was invaded by a swarm of “paper wasters,” &c.,

Who weekly uttered such a mass of lies,

Under the specious name of *novelties*,

that the Captain found his trade over-run, and was obliged to betake himself to “plucking tame pigeons,” (tricking) for a livelihood. This was written nearly twenty years after *The Staple of News* ; bully Rashingham, therefore, may be too late for the Captain of the text ; the quotation, however, will serve to show that men of this description were engaged in these pursuits. See also the first scene of *Shirley's Love Tricks*.—*Notes to B. Jonson, edited by Gifford*.

The daybooks, echaracters, precedents are kept,
Together with the names of speeial friends—

Fitton. And men of eorrespondenee in the Country—

Cymbal. Yes, of all ranks, and all religions—

Fitton. Faetors and agents—

Cymbal. Siegers, that lie out

Through all the shires of the Kingdom.

Pennyboy. This is fine,

And bears a brave relation !

But enough of The Staple of News, now that we have gleaned from it an idea of the forerunner of the modern Newspaper office. In Collins's Memorials of State we have on record, a News-writer and his patron, the latter being Sir Robert Sydney, the former a Mr Whyte, a postmaster, "a notable busy man, who constantly wrote over to Flushing to his patron."* When the civil wars were raging, News-agents, and News-letter writers and

* "Sir Robert Sydney, the younger brother, copied after the shining echaracter (of Sir Philip Sydney), and by his virtues and serviees obtained the title and honours of Earl of Leicester. As he was eurious in laying out for intelligenee of the remarkable events of the time, he kept a correspondence with Rowland White the postmaster, a notable busy man, who constantly writ over to him at Flushing (when he was resident there as governor) the News and intrigues of the court; and, being employed by him in commissions to his noble relations the ministers, was entrusted by them with several secret passages for the information of his patron. To give one instanee out of many, I shall only add, that in Mr. White's letters are contained several particulars, hitherto passed over in silence by the historians, of the Earl of Essex's favour, troubles, and fall."—*Preface to Collins' Memorials of State.*

"This gentleman (Rowland Whyte) was employed by Sir Robert Sydney to solieit his affairs at Court, and to relate to him what passed there, for which he allowed him a salary, and his integrity and industry fully appears in the eourse of his letters, some of which are in the first volume, but these that follow discover several partieulars in the reign of Queen Elizabeth, unobserved by our historians."—*Collins's Memorials of State, Note Vol. II. p. 4.*

pamphleteers, were all in full occupation. They were employed by Cromwell and against him, and these written pages were circulated in various secret ways. From hand to hand they were dispatched under the wings of birds, and scwn into the saddle-flaps of unconscious riders. We find on record a notable instance of this last mode of sending information, in the case of Charles the First, who adopted it unsuccessfully, when he tried to send secret news to France of his intentions respecting Cromwell and the puritans. The document in this case was rather a private dispatch than a News-letter, but the story of its discovery is illustrative of the contrivances resorted to at that time for communicating intelligence from one place to another. Guizot has put the incident into graphic shape, and we may quote it from the translation by Mr. Hazlitt,—himself by the way a journalist:—

From day to day the King's intentions became more and more suspected: "I shall play my game as well as I can," said Charles to Ireton, who pressed him to join them openly;* and lords Lauderdale and Lanark, still assiduous in their attendance, promised him the support of a Scottish army if he would accept of their alliance. Already, it was said, the preliminaries of a treaty were agreed upon; it was even added that in Scotland, where Hamilton's credit prevailed over that of Argyle, troops were marching towards the borders.† On their side, the English cavaliers, Capel, Langdale, and Musgrave were secretly getting up an insurrection. "Be assured," the King had said to Capel, "the two nations will soon be at war; the Scotch promise themselves the co-operation of all the presbyterians in England; let our friends, then, hold themselves ready and in arms; for otherwise, whichever party is victorious, we shall get

* Hutchinson, 277.

† Rushworth, ii. 4, 786—810.

very little by it.*” Meantime, the situation of the army quartered near London became critical; the city paid no attention to the demands made for money to pay the men, and the officers knew not how to govern troops whom they could not pay.† In all directions the most daring pamphlets were circulated; some setting forth the designs of the soldiers against the King, others the king’s negotiations with the generals. In vain had Fairfax demanded and obtained, readily enough so far, the establishment of a rigorous censorship;‡ in vain had Cromwell himself represented to the city the necessities of the army; in vain had he displayed all the resources of reason and craft, to persuade the fanatics that they must restrain their fanaticism if they thought to be paid by the moderate, the moderate that, to keep the fanatics in check, they must pay them;|| in vain had he succeeded in getting some of his confidants elected among the new agents of the soldiers. His efforts were without result; even his very prudence turned against him; he had kept up a correspondence, had secured, as he imagined, means of action with all parties; and now everywhere a wild, indomitable excitement threatened to countervail his schemes, to ruin his influence. The end of so much ability, so much exertion, had only been to burden his situation with greater difficulty and danger.

Amid this perplexity, one of the spies he had at Hampton Court, in the very chamber of the king, sent him word that on that day, a letter addressed to the queen would be dispatched from the castle, containing Charles’s real designs towards the army and its leaders. The letter, sewn up in a saddle, carried on his head by a man, not in the secret, would reach, about ten o’clock that night, the Blue Boar in Holborn; a horse was ready waiting there to take the bearer to Dover, whence the packet would sail for France. Cromwell and Ireton at once formed their resolution. Disguised as private soldiers, and followed by a single trooper, they left Windsor to go to the appointed place. On their arrival, they placed their attendant on the watch at

* Clarendon, iii. 106.

† Rushworth, ii. 4, 804, &c.

‡ By an ordinance of September 30, 1647; *Parl. Hist.* iii. 779—781; Rushworth, ii. 4, 799.

|| Rushworth, ii. 4, 883, 884.

the door, and entering the tavern, sat down at a table and had some beer. Towards ten, the messenger appeared, the saddle on his head: receiving immediate notice of this, they went out, sword in hand, seized the saddle under the pretext that they had orders to search everything, carried it into the inn, ripped it open, found the letter, carefully closed up the saddle again, and then returned it to the terrified messenger, saying, with an air of good humour, that he was an honest fellow, and might continue his journey.

Their informant had not deceived them: Charles, indeed, wrote to the queen that he was courted alike by both factions, that he should join the one whose conditions should be most for his advantage, and that he thought he should rather treat with the Scottish presbyterians than with the army: "For the rest," he added, "I alone understand my position; be quite easy as to the concessions which I may grant; when the time comes, I shall very well know how to treat these rogues, and instead of a silken garter, I will fit them with a hempen halter." The two generals looked at each other, and all their suspicions thus confirmed, returned to Windsor, hence forward as free from uncertainty respecting their designs upon the king as respecting his towards them.*

It is said the cavaliers when taken prisoners, had been known to *eat* the News-letters, which must otherwise have been discovered by their captors. Some of Prince Rupert's letters, still in existence, were, it is said, "intercepted, and bear dark red stains, that show how faithfully they were defended." Many of them passed from hand to hand, and were endorsed by each successive reader, who when he had perused the contents sent them on, in obedience to the superscription, "haste, haste, post haste."†

* This occurred in the course of October; Clarendon, State Papers, ii. Appendix, xxxviii.

† Memoirs of Prince Rupert and the Cavaliers, including their corres-

Several collections of News-letters have found their way into type, and the British Museum contains a store of the original MS.S.,* as well as copies of such as have been printed. Sir Walter Scott is said to have

pondenees by Eliot Warburton. This writer, when speaking of the original MS. used in the preparation of his work says "I do not presume to canvass my reader's sympathies for either Puritan or Cavalier, I leave them to plead their own cause *in their own letters*:—I invite him to listen to their own long silent voices, speaking once more—eagerly, earnestly—as when armed men with desperate speed bore these, their blotted, and often blood-stained pages, from leagured city or roving camp—from faltering diplomatist, or resolute warrior, at whose beck men died. Every letter will possess some interest for the thoughtful reader, and shed some light for him on the heart of the bygone times. He will find them still animated by the passions that were then throbbing in every breast. At first the earnest, rather than angry, spirit of our memorable English war is apparent in them; but they gradually become more intense in their expression, as if they were the work of a single man; the same note of triumph or tone of despair is perceptible in all. Human nature, and the nature of each writer, is transparent in them all: the reader is the confidant of Kings, Princes, Statesmen, Generals, patriots, traitors; he is the confessor of the noblest minds and the most villainous natures, he sees the very conscience of the war."

* Harleian MS., 7015, consists of a volume of public papers and letters, containing among others MS. Gazettes in French, dated from the Hague, in the years 1620—1623, relating to public transactions in all parts of Europe during these times. Some of them are directed to Sir Thomas Pickering, and some are in English; two are directed to him at Warwick.

Sloane Collection, 3328, has various letters of News—1685, 1687.

No 3925., of the additional MS.S. in the collection of the British Museum is a thick folio volume thus described, "copies and translations of *letters* from various parts of the world, 1690. 1691. 1692. The book belonged to Andrew Ellis Esq., of the Post Office London, and is supposed to have served for articles in a newspaper."

Some News-letters still exist says Macaulay in our public libraries, and he speaks also of some in Sir J. Macintosh's collection.

been very fond of poring over these memorials of early history, as written by those who mixed in the scenes they describe, and used the materials he found to make more perfect his descriptions of manners, customs, and costume.

The custom of written News was continued long after the press had begun to give intelligence in a printed shape, and with something like punctuality. Men dare in these times write what they hesitated to give in print; and hence the continued influence of the manuscript News-letters.

In the Life of Dr. John North, Master of Trinity College, Cambridge, we are told:—

Whilst he was at Jesus College, Coffee was not of such common use as afterwards, and Coffee-houses but young. At that time, and long after, there was but one, kept by one Kirk. The trade of News also was searee set up; for they had only the public Gazette, till Kirk *got a written News-letter* circulated by one Muddiman. But now the ease is much altered; for it is become a custom, after chapel, to repair to one or other of the Coffee-houses, (for there are divers,) where hours are spent in talking, and less profitable reading of Newspapers, of which swarms are continually supplied from London. And the scholars are so greedy after News, (which is none of their business,) that they neglect all for it; and it is become very rare for any of them to go directly to his chamber after prayers, without doing his suit at the Coffee-house; which is a vast loss of time.

In Roger North's Life of Lord Keeper Guilford, that writer tells us, it was when

On circuit that, as his Lordship passed along, divers gentlemen showed him circular *News-letters* that came to them; and he perceived that the scope of these was to misrepresent and misconstrue all the public transactions of state, and might have been properly styled fanatic News-letters, contrived and dis-

patched to divers places to stir up sedition. And upon his Lordship's inquiry, he was told that they came from Mr. Coleman, the Duke of York's secretary. His Lordship on his return made a representation to the king of this News-letter from such a person, and the ill-consequences of it. Whereupon Mr. Coleman was turned out of the Duke's service, but never blamed, for he was afterwards made the Duchess of York's secretary.

North in his Examen, gives us his recollections:—

I may remember somewhat of this Mr. Coleman. He was a Gentleman of a very good Family, that of Brent-Ely in Suffolk. Some years before these Times, he had been employed as a Secretary to the Duke of York, but upon Information given by the Judges of the Northern Circuit against him, in the year——, he was put out of that Post. It seems some Gentlemen of the North showed the Judges their circular News-letters that came weekly amongst them, saying they were wrote by this Mr. Coleman, and they had them constantly. It appeared plainly that the whole intent of them was to promote Faction and Discontent in the Country; for all the Actions of the Government were traduced to an ill sense, just as the Fanatics, in Coffee-houses in and about *London* used to talk, for creating differences between the King and his People; and (saving the word Popery) just as we are served in this History. Which epistolary stuff one would have expected from Colonel Mildmay out of Essex, rather than from the Cabinet of one in the Family and service of the King's own brother. His being (as he was thereupon) turned out, answered the End of that Complaint for the present; but the Duke would not wholly part with him, for that cause, because it was likely what he wrote was pursuant to the Counsel of the whole party.

Burnett describes Coleman as a clergyman's son, who had been educated by the Jesuits; in character bold, and resolved to raise himself; a proficient in several languages; a writer of many long letters; and the chief correspondent the party had in England.* He

* History of His Own Times, Vol. I. p. 393.

lived expensively, and spoke like a man who knew he was well supported. He was a confidant of Louis the Fourteenth's, confessor, and his zeal appears to have been excessive for, says Burnett "he went about everywhere, even to the gaols among the criminals, to make proselytes."

Coleman met a tragie end. When the infamous Titus Oates brought forward the Popish Plot, Coleman was one of the first victims. The News-writer was charged with high treason, and was placed at the bar of the King's Bench to take his trial. He was denied counsel; the Chief Justice, Scroggs, found fault with his religion, and abused his mode of defence as he stood at the bar; Jeffreys was engaged for the prosecution; Titus Oates was circumstantial in his perjury, and Coleman was condemned to death. Oates in his evidence spoke of "a Letter of News which was called Mr. Coleman's letter."

Five days after his trial Coleman was drawn on a hurdle from Newgate to Tyburn, amid the noisy insults of the mob who hooted him as a Papist. The intimate of the Duke of York, who had urged his master's religious views with all his learning, and assisted his political plans with great industry; whose pen had never tired in the preparation of the News-letters that were to create a public opinion to serve his party, now stood in the shadow of the gallows disgraced and degraded, and in the presence of death: but his cup was not yet full. For his last moment was reserved the bitterest pang—the consciousness of disappointed hopes, and of his patron's treachery. "He had been made to believe," says the chronicler who reports the

trial, "that he should have a pardon, which he depended on with so much assurance, that a little before he was turned off, finding himself deceived, he was heard to say, 'There is no faith in man.' Then, after some private prayers and ejaculations to himself, the sentence was executed."*

What a News-writer did in England in 1622 on his own responsibility, was effected ten years afterwards in France under the patronage of Louis the Fourteenth by a medical man Theophrastus Renaudot, who issued the first number of the first French Newspaper, the *Gazette de France*, in 1632. It is said that other nations had anticipated both England and France in the establishment of Newspapers, and this point must be discussed when we come to the subject of Journalism abroad; but here we may state that any country claiming to have preceded us in the production of Newspapers, must show in proof of priority, a publication appearing at stated intervals and numbered regularly. Unless such proof be given, and unless that definition and test of what a Newspaper is be adopted, we may go back to the Greeks and to the Romans, and to the early Venetians, and finding small sheets of paper describing some event, call them Newspapers. Without the definition, we must go floundering about in the mists of an obscure antiquity to decide that which is sufficiently clear and certain, when we understand

* "The Trial of Edward Coleman, gent., for conspiring the death of the King &c. London printed for R. Pawlet, at the Bible in Chancery Lane, near Fleet Street, 1678." quoted in Howell's *State Trials*, Vol. I. p. 7.

precisely what it is we seek to know the date of. For want of definition of what a Newspaper is, Mr. Chalmers talks of the *Acta Diurna*, and the Venetian MS. *Gazettes*, as though they were the earliest Newspapers; and, following him, the writers in the various Cyclopædias do the same. Murphy in his edition of Tacitus* seizes a passage, and asserts that the Romans were the inventors of this mode of spreading intelligence, whilst others have regarded and described various pamphlets as the first Newspapers, because they had the word *News* as a heading, or were called *Mercuries*. All these publications were the forerunners of Newspapers, and not Newspapers themselves.

When these flying sheets began to obtain purchasers in England the word *News* seems to have been a popular one for the title page, whether the paper contained a recital of real or of imaginary events. As early as 1561, the Register of the Stationer's Company has an entry of three Ballads, one of them entitled "*Newes out of Kent*," which may have told in doggrel rhyme some recent occurrence; and another "*Newes out of Heaven and Hell*," in which the author must have relied upon his imagination for his materials. With later dates we find, in the British Museum, a great assortment of *News books*, of four and eight small pages, with most startling titles. One gives an account

* Speech of Corsutianus Capito against Thracia:—"Diurna populi Romani, per provincias, per exercitus, curatius leguntur; quam ut non noscatur quid Thracia fecerit," &c.

"The journals of the Roman people were never read by the provinces, and the armies, with so much avidity as in the present juncture, and the reason is the history of the times is the history of Thracia's conspiracy."

of fire from Heaven burning the body of John Hatchell at Christ-Church; another describes fires, wind, lightning, and apparitions seen abroad and related by a merchant; a third describes and illustrates a "battle of Starelings fought at the city of Corke, on the 12th and 14th of Oct. last, 1621." Others of these News-books are described as being translated out of the Dutch version, printed at Nymwegen.*

In the British Museum Catalogue of Newspapers the first date is 1603, and then follow the titles of various pamphlets which ought not to have been included in such a list. There are, for instance, His Majesty's Conference with the Bishops, His Majesty's Speech in the Star Chamber, and Proclamations and Declarations from the same royal source. None of

* We find the word *Newes* employed to help the sale of pamphlets of travels, sermons, satires, and other such wares. Thus in 1622, we find "Strange Newes out of divers countries never discovered till of late, by a strange Pilgrim in those parts." A strange, coarse, but effective woodcut decorates the title-page. The size of the pamphlet is a small quarto; the imprint—"London; Printed by W. Sones for George Fayerbeard, and are to be sold at his shop at the Royal Exchange, 1622."

Again we have "Lamentable Newes out of Monmouthshire in Wales, contayning the wonderful and fearful accidents of the great overflowing of the waters in the saide Countye, drowning infinite numbers of Cattel of all kinds, as sheep, oxen, kine, and horses, with others; together with the losse of many men, women, and children, and the subversion of xxvi parishes in January last, 1607. London; Printed for W. W., and are to be sold in Paul's Church yarde, at the "sign of the Greyhound." This News-book describes the flood, and then preaches a sermon upon it. It is printed in old English, and is thickly interspersed with pious exhortations and scripture references. It has a woodcut on the title, giving a rough but forcible idea of the calamity. These pamphlets are only named as specimens. There are many others to be seen in the British Museum Library.

these are Newspapers, nor will any one be found of earlier date than the Weekly News, 1622.

We shall see how the example of Butter was followed, years later, by the re appearance of a regular weekly journal ; but, having claimed for his publication the merit of being the first Newspaper, it is requisite to refer to the very different date heretofore given as that of the commencement of public journalism. Until recently it was always stated that the first Newspaper appeared in England in 1558. Those who had occasion to describe the origin of such publications all went to one source for their information, and, finding an error there, the mis-statement was repeated again and again with curious pertinacity. The original author of this often-reiterated mistake was Mr. Chalmers, who, having undertaken to write the Life of Mr. Ruddiman, one of the first proprietors of a Scottish journal, enlarged his work by giving the result of some researches he made into the origin of Newspapers. His investigations seem to have been chiefly carried on at the Library of the British Museum, and finding in that collection a printed paper entitled THE ENGLISH MERCURIE, and dated 1588, he received it without question of its authenticity, and at once declared that England owed "to the sagacity of Elizabeth and the wisdom of Burleigh the invention of Newspapers," and that such prints were first issued when the Armada was threatening our shores.

It would seem that the delight of Chalmers in establishing, as he thought, the claim of priority in this invention for England and the Virgin Queen had blinded him to the imperfection of the evidence on

which this claim rested. A calm examination of the paper, of the type, of the corrections of this so-called English *Mercurie*, must have satisfied the most unwilling antiquary that what he wished to find a real antique was nothing but a clumsy and impudent forgery. This counterfeit was however accepted as genuine, and so described in the *Life of Ruddiman*, from whence the tale was copied by the writers in the various Cyclopædias, and from them into numerous other books. Amongst those who thus took for granted the truth of the story was Mr. D'Israeli, who, in the earlier editions of the *Curiosities of Literature*, tells the false tale of Chalmers and his followers.* This historical error was exposed and corrected by Mr. Watt, an officer of the Museum where this sham "English *Mercurie*" is preserved. He drew attention to the subject, and those who, at his suggestion, examined for themselves, saw as he did, and at once, that the so-called Elizabethan Newspaper was a cheat. Those who are curious about such literary frauds may test the English *Mercurie* for themselves, at the Library of the British Museum; for it is amongst the Sloane MS.S.,† and forms part of

* In excusing his error D'Israeli says, in his edition dated 1839:—"I witnessed fifty years ago that laborious researcher (the literary antiquary George Chalmers) busied among the long dusty shelves of our periodical papers which then reposed in the ante-chamber to the former reading-room of the British Museum. To the industry which I had witnessed I confided, and such positive and precise evidence could not fail to be accepted by all. In the British Museum, indeed, George Chalmers found the printed English *Mercurie*; but there also, it now appears, he might have seen *the original*, with all its corrections before it was sent to the press, written on paper of modern fabric."

† Sloane MS. No. 4106.

the Birch Collection. Mr. Watt's letter, in which he exposes its falsity, will be found at the end of the present volume.

Just after Johnson, in his days of poverty, had obtained employment on the *Gentleman's Magazine*, as a writer of Parliamentary Debates, there appeared in that publication an article on the *Acta Diurna*. It stands as a kind of introduction to the volume for 1740,* and the writer, like the translator of Tacitus, would fain make out a case in favour of the assertion, that to Rome may be traced the origin of Newspapers—though Rome had neither types nor presses! In the extracts from the *Acta Diurna*, given in support of this position, we have notices such as enter into the pages of a modern journal—records of public ceremonies and decrees, of trials, accidents, storms, quarrels, public executions, births and deaths; but similar extracts might be made from any ancient records of any ancient people whose history remains to us, and the *Acta Diurna* were rather public recognitions or proclamations of important facts than issues of News. If the Romans had had moveable types and printing presses, they would probably have had Newspapers, but without the means they could scarcely have the end. The events of any age are always interesting to those who live in it, and the active Roman people must have been anxious to know how their armies and colonists were progressing in the distant parts of the world to which they penetrated. The small means at their command were made the most of, but those means were the dispatches

* In the appendix to this volume will be found the specimens of the *Acta Diurna*, collected for the *Gentleman's Magazine*.

of public officers or private correspondents, and how anxiously these communications were sometimes read we learn by the passage in Tacitus already spoken of. Somewhat similar public notices of public events were written during the period when the Turks were waging war with the Venetians; and it is stated that, in 1563, these descriptions of important occurrences were publicly read in Venice to audiences who each paid a coin called *gazetta* for the privilege of listening. Hence the origin of the word Gazette as applied to papers containing News. Some volumes of the manuscripts prepared by the governments of the period for these public readings are preserved in the library at Florence. These also have been pointed to as the first Newspapers, but cannot fairly claim to be such. They were not published for circulation. Like the *Acta Diurna* they were public documents, more in the nature of proclamations by authority, than public journals.

In dismissing this chapter on News-letters and News-writers, and other fore-runners of the modern Newspapers, it may be remarked that the title adopted by the old scribes still lingers amongst us on the heading of an Irish journal of our time—"Saunders's News-letter."

CHAPTER III.

THE EARLY STRUGGLES OF THE PRESS.

“The Liberty of the Press—it is as the air we breathe, if we have it not, we die.”—*Old Political Toast.*

The Papal Power and the Press.—Origin of the Censorship.—Wolsey’s Declaration.—Effects of the Reformation.—Kingly Authority over the Press.—Increase in the number of Readers.—The Press makes Supporters for itself.—Its early Champions.—Sir Richard Knightley and the Star Chamber.—Increase of Books.—Shakspeare and Bacon extend the scope of Thought among the People.—The Civil Wars break the bonds of the Press.—The Star Chamber Persecutions.—First Newspapers and Journalists.

THE Revolution that beheaded Charles the First laid the foundation of the liberty of the press in England. Before the period of the Civil Wars, the printer could only exercise his art under the sanction of the Clergy and of the King. This power over the press had been exercised since the days of Guttenberg, and arose in this manner: The Church of Rome was paramount when printing was invented, and assumed at once the same power of censorship over printed books which it had previously exercised over written ones. Pope Alexander the Sixth (Borgia) placed this authority in a more definite shape in 1501; and, fourteen years later, it was formally decreed by the Council of the Lateran, that no publications whatever

should be issued in any place where the Church of Rome had jurisdiction, unless such printed work had first obtained the written sanction of the bishop, or of the inquisitor of the diocese. The authority thus set up was exercised in all countries where the Pope had influence, and, amongst the rest, it became part of the law in England.* The more far-seeing of the clergy at once understood the importance of controlling the new instrument for the multiplication of printed books. It is stated that Wolsey exclaimed—"We must destroy the press, or the press will destroy us;" and, in

* Here was the origin of the principle of a general censorship of the press, which has been ever since maintained by the Church of Rome in all countries where it had power to enforce it. The bishops were the censors in their respective dioceses; but on the continent the tribunal of the inquisition, wherever the inquisition was established, were the censors; they examined the MS. of every work previous to its being printed, and granted or refused an "Imprimatur," or licence, at their pleasure. The inquisition, moreover, sought after all books published beyond its jurisdiction, and, having examined their contents, condemned those which were contrary to the doctrine or discipline of the Church of Rome, and of these it formed a list, known by the name of "Index of Forbidden Books," to which it has made copious additions from time to time. There are several of these indices, made at different times, and in different places: the index of the Spanish Inquisition was different from that of Rome. Collections of these indices have been made. One of the latest is contained in the "*Dictionnaire Critique et Bibliographique des principaux Livres condamnés au Feu, supprimés ou censurés*," by Peignot, Paris, 1806. In countries where the inquisition was not established, such as France, England, and Germany, the bishops acted as censors and licensers of books, which they examined, previous to printing, as to all matters concerning religion or morality. The censorship continued for a long time to belong to the ecclesiastical power, and even afterwards, when the civil power in various countries began to appoint royal censors to examine all kinds of works, the episcopal approbation was still required for all books which treated of religion or church discipline. *Polit. Dict.*, p. 2, 571

saying so, he only repeated the sentiment that had before animated many dignitaries of his Church. But readers were few in those days, and the censorship, thus exercised, remained comparatively unchallenged in this country till after the Reformation. That change in the established religion of England, transferred to the King and the Bishops the power of censorship which had previously been exercised by the Pope and the Bishops. The Crown also had another power, which put an additional fetter on the press. Letters patent had been used as a means of establishing monopolies of various kinds* in favour of particular persons, and thus when the art of printing was introduced, it was exercised under the authority of a licensee. This power of licensing subsequently grew into a means of oppression; and, added to the clerical censorship, was sufficient to keep the press strictly under the thumb of those in authority. The number of readers, however, increased, though but slowly; and, as they increased, books became more various and in greater demand. The Reformation gave an important impetus to reading, and as arguments were brought into full play both for the new and for the old faiths, the people who were called upon by each party for support began to think and to judge for themselves. Henry the Eighth on one side, and the Pope on the other, appealed to the people of England as the audience from whom each sought converts and supporters, and from that time forth the people began to understand the value of the press.

* Collier's *Essay on the Law of Patents, and General History of Monopolies*, 8vo, London, 1803.

For much more than a century after their invention, types may be said to have been almost entirely employed for theological pamphlets and books. Some classic authors, and some volumes on wood-craft, and on chess, and other such topics likely to interest the dominant classes of the time, were completed ; but the staple product of the press was theology. When the growth of opinion and the will of the King brought about the Reformation, the field began to widen. Men were asked to *think* upon theological points, but, the mental process once begun, the authorities could not stop the thinking at a defined and authorized point, and a thinking and a reading class began to grow up in England. The privileged classes no longer had the complete monopoly of books, and literature began to find an audience beyond the precincts of the Court, and the Baronial Hall, and out of the pale of the Church. It was a part of the mission of the press to create patrons and supporters for itself from the crude mass of unlettered humanity,—to rear the readers who in their turn might give it employment, and extend its power and usefulness. This it was now doing, though slowly ; yet, amongst its converts were many both energetic, high-souled, and sincere.

In Elizabeth's reign we find men in various walks of life running great risks, and enduring heavy penalties for sake of the liberty of the press. The Star Chamber was called into play to stop this popular thirst for freedom of printed thought, and fines and imprisonment, with the pillory, the branding iron, and the hangman's fire in Smithfield, were employed at various times by Star Chamber authority, to torture

writers, to terrify readers, and to cast odium upon unlicensed publications.

Attorney General Popham, on the trial of Sir R. Knightley and others before the Star Chamber in 1588, referred to the fact, that " Her Majesty Queen Elizabeth in her great wisdom, had issued proclamations that no pamphlets or treatises should be put in print but such as should be first seen and allowed ; and further, lest that were not sufficient, she ordained that no printing should be used anywhere but in London, Oxford, or Cambridge. Notwithstanding, all this served not," continues this legal authority ; " but they would print in corners, and spread abroad things unprinted : wherefore Her Majesty set forth a proclamation, *in anno* 25 (of her reign), that all Brownist books, and such other seditious books, should be suppressed and burnt." Still the obnoxious publications appeared, and another proclamation was fulminated against " the new seditious and infamous libels spread abroad." That not sufficing, Sir Richard Knightley was selected for prosecution, as an example to the country. The historian of this gentleman's county tells us,* that " this Sir Richard Knightley was divers times chosen Member of Parliament for the County of Northampton, in the reign of Queen Elizabeth. He was a great favourer of the Puritan party, and was at the expense of printing their libels, as is reported, being influenced by Sharpe and some other leading ministers of his county. These libels were printed by one Walgrave, who had

* Bridges' History of Northamptonshire, by Jebb, fol., p. 63 ; State Trials, Vol. I., p. 1262 ; MS. in Caius Coll., Camb., Class A, 1090-8, p. 206.

a travelling press for this purpose, which was once brought down to Fawesley, and from thence by several stages removed to Manchester, where both the press and the workmen were seized by the Earl of Derby. For this offence Sir Richard Knightley and his confederates were cited into the Star Chamber, and severely censured (and heavily fined); but, upon the intercession of Archbishop Whitgift, who they had most insulted, they were set at liberty, and had their fines remitted. But, though thus zealous for the Puritan faction, he joined with Sir Francis Hastings in presenting a petition to the House of Commons for granting toleration to the Papists."

This early sufferer for liberty of unlicensed printing did honour to the cause, supported and justified the efforts of the benevolent Archbishop in his behalf, by asking toleration for those whose faith he had stoutly opposed. The record of his trial before the Star Chamber throws some curious light upon those early days of the printing press.

On the 13th of Feb. 1558, were brought to the bar of the Star Chamber, Sir R. Knightley, Mr Hales, Sir — Wickstone,* and his wife. The Attorney General urged their offences before the court with all his zeal. "Sir Richard," said he, "being a great man in his county, a deputy-lieutenant, who had the government thereof, a seditious and lewd rebel came unto him to have place and entertainment with him, and there Sir Richard received him to print: Sir Richard doth confess that Penry told him he would set forth such a like book as he had before him set forth for

* Neale's History of the Puritans, Vol. I., p. 507.

the government of Wales. That book contains sedition and slander most opprobrious; and yet Sir Richard was contented such a like book should be printed. But further, Sir Richard sent his man a ring for a token to receive the press into his house, who did so, and there they printed the Epitome, Walgrave himself being the printer. This is a most seditious and libellous pamphlet, fit for a vice in a play, and no other: but then the parson of the parish having found out the printing, told Sir Richard that it was very dangerous; whereupon Sir Richard caused him to take it down; but neither disliked nor discovered it, but kept it secret, and read the books himself. Again, when it was told him his house would be searched for the press, he said he would couse them that came to search his house; beside, at his recommendation, Walgrave was commended unto Mr Hales, and there had entertainment, and there 'The Supplication to the Parliament' was printed by Walgrave, and published by Newman, Sir Richard's man; and another book was there printed likewise. * * And from Mr Hales's house in Coventry these books and this press must be conveyed to Sir — Wiekstone's, where Martyn Senior, and Martyn Junior, were both printed. * * And for Sir — Wiekstone, albeit he knew the press was in his house, yet he kept secret, and would never discover it, but came many times, and did visit there at the press; and his wife, by whose proeuement and persuasions with her husband, they were first received into his house, did often relieve them with meat and drink, and gave them money in their purses. This is the sum of their offence."

The good lady of Sir Richard feeding in secret the persecuted workers at the press would make a subject for a picture or a poem. The bold knights threat to "course them that should come to search his house"—to hunt them with his greyhounds as he would a hare—probably suggested itself as a fair reprisal on those who thus pursued from refuge to refuge the printer and the press.

But the Star Chamber could not reach the minds of the people; and whilst Elizabeth and her successors were using its irresponsible power for the suppression of what were regarded as heretical books; the number of readers was increasing, and the power of the press was growing in the same proportion. Year by year, Protestantism encouraged a greater freedom in the expression of opinion, and a deepening feeling manifested itself in the controversial war of one sect with another. Books began also to offer amusement as well as excitement and instruction to the people; and they, aided by the Grammar Schools of Edward the Sixth, and other similar educational foundations, became, as a class, more generally able to enjoy the luxury of reading. The popular demand induced a noble supply. The science of Bacon, and the plays of Shakspeare, were amongst the productions of the early press; Raleigh gave his *History of the World*, Ben Jonson, and Beaumont and Fletcher, and others, helped to enrich dramatic poetry; and, so popular and fashionable did learning and literature become, that King James the First condescended to enlighten the world as to his views upon witchcraft and tobacco. Yet, with all this, no real freedom had been given to the press on the

most vital subjects. The affairs of the country and the people were unknown to printed discussion; points of faith had been debated, but questions of political condition were forbidden; no one dare canvass them, for the censorship was strictly exercised. Differences however arose as to the licensing of books amongst those who claimed to exercise that privilege. Bishops at times opposed bishops, and archbishops occasionally ran counter to kings; as we shall presently see in the case of Charles the First and his episcopal bench. Meanwhile the pear was ripening, and, when the Civil Wars beheld King and Parliament contending to the death for supremacy, the press was called in by both sides. Its aid was invoked by each, and to each it became a powerful instrument for discussing the vital points in dispute. In this debate amid the clang of arms, with a whole excited nation for audience and actors, the trammels of its youth fell from the press. It stood up a great power, unshackled—free; and though Royalists and Puritans alike, during the struggle, and afterwards, attempted to re-impose its bonds, the first exercise of its freedom made so real an impression upon the mind of England, that no power has since succeeded in reducing it to the bondage from which it was released by the Revolution that destroyed Charles the First.

With this preliminary glance at the early struggles of the press, let us return to the subject and to the period of the first Newspaper.

We have stated that the first series of Newspapers, which were linked together by anything like dates and

numbers, appeared in London in 1622. The copies of these publications, now in the British Museum Library, formed a part of Dr. Burney's Collection, and are bound in volumes. We have seen also that other tracts, certainly not entitled to be called Newspapers, are to be found mingled with them, and, amongst these, there is one with the date of 1619. It is in type and appearance very like its successors—the numbers of the Weekly News—and it was published by Newberry, who appears subsequently as one of Butter's colleagues; but it is only a stray tract, and therefore not entitled to the name of Newspaper. It has, however, a feature in common with the Weekly News which may be noticed. It tells only of foreign events; and, to judge by the specimens of these early journals which remain to us, their writers dared not notice English News. The Star Chamber was still in the ascendant, and the books of the period had to obtain a licence for their issue. The laws of Henry the Eighth and his successors still had force, yet these sheets of Weekly News have not the stamp which marks other publications of that time. It is probable that their harmlessness was their only safety. The time of great events was approaching, but the changes in the popular feeling did not then find expression in the journals; and the editors, if editors they may be called, contented themselves with re-telling the News which reached England from other countries. This want of courage to talk about home affairs, what so many people must have been anxious to know, could have gained little respect for the writers; whilst the character of the foreign advices was such, that other wits besides Ben Jonson

had their fling at the Newsmonger. Shirley, in his *Love Tricks*, first played in 1624-5, gives an unflattering picture :—

Antonio. Prythee what's the News abroad ?

Easparo. News ? Oh, excellent News !

Ant. Prithee what is't ? I long to hear some.

Eas. There is no News at all.

Ant. Call you that excellent News ?

Eas. Is it not good News that there is no bad News ? The truth is, the News-maker, Master Moneylaek, is sick of a consumption of the wit.

Ant. The News-maker ! Why, is there any News-maker ?

Eas. Oh, sir, how should younger brothers have maintained themselves, that have travelled, and have the names of countries and captains without book as perfect as their prayers ? Aye, and perfecter too, for I think there is more probability of forgetting their prayers, they say them so seldom. I tell you, sir, I have known a gentleman that has spent the best part of a thousand pounds while he was prentice to the trade in Holland, and out of three sheets of paper, which was his whole stock, (the pen and ink-horn he borrowed,) he set up shop, and spent a hundred pounds a-year. It has been a great profession. Marry, most commonly they are soldiers ; a peace concluded is a great plague upon them, and if the wars hold we shall have store of them. Oh, they are men worthy of commendation. They speak in print.

Ant. Are they soldiers ?

Eas. Faith so they would be thought, though indeed they are but mongrels, not worthy of that noble attribute. They are indeed bastards, not sons of war and true soldiers, whose divine souls I honour, yet they may be called great spirits too, for their valour is invisible ; these, I say, will write you a battle in any part of Europe at an hour's warning, and yet never set foot out of a tavern ; describe you towns, fortifications, leaders, the strength of the enemy, what confederates, every day's march. Not a soldier shall lose a hair, or have a bullet fly between his arms, but he shall have a page to wait on him in

quarto. Nothing destroys them but want of a good memory, for if they escape contradiction they may be chronicled.

Ant. Why, thou art wise enough to be an informer.

Eas. Ay marry, now you speak of a trade indeed, the very Atlas of a state-politic, the common shore of a city. Nothing falls amiss into them, and if there be no filter in the common-wealth (they) can live by honesty, and yet be knaves by their privilege; there is not an oath but they will have money for it.

Ant. Oh, brave trade!

This is a severe caricature, but amusing as being another unscrupulous sketch dashed off by a contemporary of the early News-gatherers. Shirley's reference to the military character of some of these people looks like another allusion to the Captain Rashingam already noticed.

Butter and his colleagues seem to have issued their publications at more than one office, and, in an historied sketch of the rise of Newspapers, the order in which names of the publishers appear on successive numbers of the Weekly News may well be given, together with the headings of the paper showing how they varied. The first number in the British Museum collection has the names of Bourne and Areher as publishers; its date, heading, and imprint are:—

The 23. of May (1622). The Weekly Newes from Italy, Germanie &c. London: Printed by I. D. for Nicholas Bourne and Thomas Archer.

The succeeding numbers run thus:—

The 30. of May. Weekly Newes from Italy, Germanie, Hungarie, Bohemia, the Palatinate, France, and the Low Countries. Translated out of the Low Dutch Copie. London: Printed by E. A. for Nicholas Bourne and Thomas Archer, and are to be sold at their shops at the Exchange, and in Pope's-head Pallace. 1622.

The 18. of June. Weekly Newes from Italy, Germanie, Hungaria, Bohemia, the Palatinate, and the Low Countries, with a strange accident hapning about the City of Zitta, in Lusatia. Translated out of the High Dutche Copie. London: Printed by J. D. for Nathaniel Newbery and William Sheffard, and are to be sold in Popes-head Alley. 1622.

The 2. of September. Two great Battailles very lately fought. The one betweene Count Mansfield and Don Cordua, the Spanish General, &c. London: Printed by J. D. for Nicholas Bourne and Thomas Areher, and are to be sold at their Shops at the Exchange, and in Popes-head Pallace. 1622.

The 9. September. Covnt Mansfield's Proceedings since the last Battaille, &c. London: Printed by E. A. for Nicholas Bourne and Thomas Areher, and are to be sold at their Shops, at the Royall Exchange and Popes-head Pallace. 1622.

The 25. of September. Newes from most parts of Christendome, &c. London: Printed for Nathaniel Butter, and William Sheffard. 1622.

The 27. of September. A Relation of Letters and other Advertisements of Newes, sent hither unto such as correspond with friends beyond the Sea. From Rome, Italy, Spaine, France, the Palatinate, and divers other places. London: Printed for Nathaniel Butter, and Thomas Areher. 1622.

The 4. of Octob. A True Relation of the affaires of Europe especially, France, Flanders, and the Palatine, &c. London: Printed for Nathaniel Butter and Nicholas Bourne. 1622.

Passing on to the following year, 1623, we find the titles become somewhat more regular:—

May 12. Numb. 31. The Newes of this present week. London: Printed for Nathaniel Butter, Nicholas Bourne, and William Sheffard. 1623.

May 17. Numb. 32. The last News. N. Butter and W. Sheffard. 1623.

May 26, 1623. (Here we have the year given in the heading.) Numb. 33. A Relation of Count Mansfield's last

proceedings, &c. N. Butter, N. Bourne, and W. Sheffard. 1623.

May 30. Numb. 34. The Last News. N. Butter and T. Areher. 1623.

July 18. Numb. 40. The Weekly News continued. N. Butter and N. Bourne. 1623.

July 22. Numb. 41. More News. N. Butter and W. Sheffard. 1623.

Oet 2. Number 50. Our Last News, &c. E. Alde for N. Butter and Thos. Areher, 1623.

The imprints of the News-books immediately preceding the numbers of the Weekly News, and bound with them in Dr. Burney's collection, are :—

Newes out of Holland. London : Printed by T. S. for Nathaniel Newberry, and are to bee sold at his Shop under St. Peter's Church in Cornhill, and in Popes Head Alley, at the Sign of the Star. 1619.

Newes from Poland, &c. London : Imprinted for F. K. and B. B. and William Lee, and are to bee sold at his Shop in Fleet Street, at the sign of the Golden Buek, neere Serjeant's Inne. 1621.

Newes from Francee (a great fire in Paris). Translated from the French, and sold at the Golden Lion in St. Paul's Ch. Yard. 1621.

This list of imprints may not be very sightly in the page of a modern book, but they are requisite in this place to give a fair idea of the varying title, and of the changes amongst the publishers, of the first Newspapers. It is probable that the legal responsibility of issuing a weekly sheet of intelligence without the sanction of the censor may have had something to do with the alterations in the imprint as well as with the irregularities in the appearance of the publication itself. The contents of these primitive journals may

deserve a brief examination before we pass to the consideration of more stirring and important facts.

Here are some specimens:—In “News out of Holland, concerning Barneveldt and his fellow prisoners, their conspiracy against their native country, with the enemies thereof &c., to which is adjoyned a Discourse wherein the Duke D’Espernons’ revolt and pernicious designs are truly displayed and reprehended by his friends” one of the “friends” of the Duke D’Espernons who adopts the financial signature of L. S. D. reproves him for his rebellion after the following fashion. This passage will illustrate the slavish tone adopted by Butter—the price paid probably for impunity in printing News at all:—“You are not ignorant,” says this anonymous counsellor with the pecuniary initials, “that Kings are the image of the living God, that their wills and commandments are laws to be specially observed, and that no man can dispense therewith, without being guilty of High Treason both divine and human.—Paris, 28 Mar. 1619.”

The Weekly News of October, 1622, gives us a paragraph of less dignified character—“Letters from Bologna,” says the journalist, “assure us that among other prisoners there were taken certain unruly persons who, one riotous night, spoiled the image of our Lady, and disrobed other saints; but after great search they were found, and all likely to endure severe punishment.”

Spoiling images and disrobing saints seem to have been the substitutes in those days for the wringing of knockers, and stealing of door-plates of our time. Again, from the same publication:—“On a Tuesday in September, in the Piazzo of St Mark’s in Venice,

there was a publication of the banishment of La Illustrissima Signora Bianca, sister to the illustrious Almeino Balli, for poysoning her husband, *Illustrissimo* Gironimo Seranco, and whosoever could bring in her head, should have 2000 livres: her goods were publicly sold, her Vecchia bandited, and a servant of trust proscribed."

Again—"In the open market-place of *St. Marke's*, one Antonio Stranariol did deadly wound in the head Giacomo Lanoradi, a musician of *St. Marke's Church*: for which he fled, and is not yet taken." We find also in the same paper:—

A true relation of the cruel execution done in Ommelburg, a towne in the Bishopricke of Mentz, upon the persons of two ministers, or preachers of the Gospel, by the instigation of the Jesuits. 'Tis most manifestly known to all the world that hatred, ennuie, and dissension reigne mightily now-a-days: The sonne is against the father, and the sister against the brother, and in general we are so exasperated one against another, that if we could drowne one another in a spoone with water, we would not fetch a pail, as partly appeareth by this present example. *Johannes Vander Veech, and Lambertus Liber*, being two Protestant Preachers, and having disputed against certain priests at Krugsganck, the Jesuits caused them to be apprehended, and afterwards most cruelly to be executed within the towne of Ommelburg, the 30th of August, 1622, where the hangman with red hot pincers pulled the flesh from their bones, (so that a heart made of stone would have taken compassion on them,) and put them to death with great martyrization. But they have suffered it patiently, as a sheep that is brought to the slaughter-house. About three days after the same, one of the Jesuits who was called *Pater* or Father John, aged 96 yecres, was taken about 12 o'clock from his table, and was never seen afterwards. Therefore let us pray unto God that he will not judge us according to our deserts, but grant us everlasting salvation.

A later number of the Weekly News for the same year contains—"A continuation of the Affairs of the Low Countries and the Palatinate,"—detailing the siege of Bergen by Spinola, and his retreat;—"whereunto is added a letter from a person of speciall note, with the articles between Monsieur Tilly, General for the Emperor, and Colonel Mernin, Governor of the City of Heidelberg, about the delivery of the same;" and also "another letter from a person of credit at Paris." These letters from special correspondents became more general as the publication progressed. In later numbers we find "Briefe Abstracts of News from Divers Letters of trust," arranged in a somewhat similar manner to the foreign news in a journal of the present day.

Like a true speculator, Butter seems to have been full of hope to the last. By the latest of his weekly publications, to be found in Dr. Burney's collection, we see that, as on many previous occasions, the Paper had been stopped for a month, and then re-appeared; but, in this instance, with the following title-page and address to the reader:—

The Continuation of the Forraine Occurrents for 5 weekes last past, containing many remarkable Passages of Germany, &c. Examined and licensed by a better and more impartiall hand than heretofore. London, printed January 11, 1640, for Nathaniel Butter, dwelling at St. Austin's Gate.

The Printer to the Reader:—

Courteous Reader: We had thought to have given over printing our foreign avisoes, for that the licenser (out of a partiall affection) would not oftentimes let pass apparant truth, and in other things (oftentimes) so crosse, and alter, which made us almost weary of printing, but he being vanished, (and that office fallen upon another, more understanding in these Forraine

Affaires, and as you will find more eandid.) We are againe (by the favour of his Majestie and the State) resolved to go on printing, if we shall finde the World to give a better aacceptation of them, (than of late,) by their Weekly buying them. It is well known these Novels are well esteemed in all parts of the World, (but heere,) by the more judicious, which we can impute to no other but the discontinuance of them, and the uncertaine days of publishing them, which, if the poste fail us not, we shall keepe a constant day every weeke therein, whereby every man may constantly expect them, and so we take leave, January the 9th, 1640.

The leave thus hopefully taken for a week, seems to have extended to a much longer period; and indeed would appear to have been final. Stirring times were at hand, when the trammels of the press were to fall, because the State lost its power of coercion; and bolder and more unscrupulous journalists were to take the place of the unsuccessful Nathaniel Butter. In this address to the reader it may, however, be noticed that the licenser is named as one of the difficulties in the way, even of a Newspaper so humble in its pretensions as the Weekly News. There is not in the earlier numbers of that print any apparent evidence of such sheets of News being published under any such authority. On the contrary, an examination of what remains to us of the journals issued by Butter and his colleagues, during the eighteen years between 1622 and 1640,—the changes of name in the imprint, and of place of publication, and the absence of any licenser's mark,—fully justify the belief already expressed, that these earliest Newspapers were issued without the cognizance of the law. Thus, in February 1625, we find the News marked—"London, Printed by B. A.

for *Mercurius Britannicus*;" subsequently the B.A. is dropped, and the title stands *Mercurius Britannicus* only,* though the same type has evidently been used, and the publication is avowedly a continuation of previous sheets. Why this concealment, and these constant variations, if the *Weekly News* was an authorized print?

Whilst the only Newspapers of this early period were dragging their slow and unprofitable way, telling foreign intelligence only because home News were dangerous to touch, the question of the liberty of the press was working its way in other channels. Those who had the authority to license books clashed at times in their opinions of what was proper to be published. Thus, in the proceedings in Parliament against Richard Montague, "for publishing a factious and seditious book," it appeared in evidence that the licensers differed as to whether the work should appear or not. The Archbishop of Canterbury disallowed the book, and endeavoured to suppress it; but the other bishops attested their approbation of it, and hastened the edition.† Again, when the obsequious churchman, Dr. Sibthorp, printed a sermon in which he advised the people to submit to the illegal taxes of Charles the First, the Bishop of London licensed the pamphlet; but the Archbishop of Canterbury refusing his sanction to the work, he fell under the King's displeasure, and his

* May 5. Number 20. "The continuation of our *Weekly News*, from the 27th of April unto the 5th of May," &c. "London, Printed for *Mercurius Britannicus*, 1625." This title *Mercurius Britannicus* was often used afterwards, as we shall see.

† Howell's *State Trials*, Vol. II., p. 1259.

see was sequestrated.* Again, in 1628, the case of the Rev. Dr. Mainwaring's two sermons, preached and published in support of Charles the First, shows in another way how the licensing of books was complicated. These sermons had in the opening page the words "Published by his Majesty's Special Command," and this authority was directed to be so placed in print by the Bishop of London, who had been commanded by the King to license the works, yet feared to do so in his own name. These fears were well founded. The Parliament prosecuted the author, sent him to the Fleet, and compelled him to recant on his knees at the bar of the House of Commons. But, though declared disabled for holding preferment in the church, the King gave him a good rectory in Essex, in addition to the living of St. Giles's in the Fields. This bonus was given to Mainwaring after Charles had issued a proclamation condemning the publications so sanctioned by royal authority, and forbidding the reprinting of them under severe penalties. The books were burnt in London and Westminster, at Oxford, and at Cambridge, whilst the writer was rewarded by rich benefices in the Church.

The arbitrary power of the Star Chamber was brought into operation in 1630, in the case of Dr. Alexander Leighton, who had published five or six hundred copies of an Appeal to Parliament against Prelacy. In this work he had declared the prelacy of the English Church to be "anti-christian, and satanical;" he termed the prelates themselves "men of blood," and called the bishops "ravens and magpies."

* Howell's State Trials, Vol. II., p. 1451.

These expressions were quoted in the information against him as amongst the most serious of his offences. To us, who are accustomed to the frequent and severe denunciations of modern Newspaper writing, all this seems harmless enough ; yet, Leighton was convicted, and sentenced to be imprisoned in the Fleet for life ; to be fined £10,000 ; to be degraded of his ministry ; to stand in the pillory ; to have his nose slit, and to have his ears cropped ; and, further, to be branded in the cheek. This bitter judgment having been pronounced, the prisoner was taken to the Fleet, and there closely confined ; but, while steps were being taken in the Ecclesiastical Courts for his degradation from the ministry, some friends, aided it is believed by the goaler, assisted him to escape. A loud hue and cry was raised, all “ his majesty’s loving subjects ” were enjoined “ to use all diligence for the apprehending of the said Alexander Leighton,” who is described as “ a man of low stature, fair complexion : hath a yellowish beard, a high forehead, and between forty and fifty years of age.” This hue and cry of the authorities “ followed the fugitive to Bedfordshire, where he was apprehended, and brought again a prisoner to the Fleet.” And the final acts of this cruel tragedy are thus told in the Diary of the Bishop of London, under date November the 24th.*

‘ Leighton was degraded at the High Commission, Tuesday the 9th of November ; that night Leighton broke out of the Fleet, the warden says he got or was helped over the wall, and moreover professed he knew not this till Wednesday noon, he told it not me till Thursday night. He was taken again in Bedfordshire, and brought back to the Fleet, within a fort-

* State Trials, Vol III., p. 386.

‘night. Friday November the 16th, part of his sentence was ‘executed upon him in this manner, in the new palace at Westminster, in term time: 1. He was severely whipt before he ‘was put in the pillory. 2. Being set in the pillory, he had ‘one of his ears cut off. 3. One side of his nose slit. 4. Branded ‘on one cheek with a red hot iron, with the letters S S, signifying ‘a stirrer up of sedition, and afterwards carried back again ‘prisoner to the Fleet, to be kept in close custody.

‘And on that day seven-night, his sores upon his back, ear, ‘nose, and face being not cured, he was whipt again at the ‘pillory in Cheapside, and there had the remainder of his ‘sentence executed upon him, by cutting off the other ear, slitting the other side of the nose, and branding the other cheek.’

Afterwards those who procured his escape were taken and brought into the Star Chamber, and proceeded against, viz. The defendants practising with one Leighton, a notable offender, to procure his escape out of the Fleet, Levingston put off his cloak, hat and breeches, being all of a grey colour, and Anderson his doublet, and Leighton put theirs on, and in that disguise they all went out of the Fleet unsuspected; but were afterwards taken again, and for these offences, and respect had of their penitency, they were only fined 500*l.* a-piece, and committed to the Fleet during the king’s pleasure.*

A more notorious, but scarcely a more cruel, case of Star Chamber tyranny, exercised against those who indulged in the free expression of printed thought, was that of Prynne. This indefatigable writer had with much difficulty procured a license for a book written in condemnation of actors and acting;† and though, as

* “In 1641 the House of Commons came to several Resolutions in condemnation of the proceedings against Dr. Leighton. Particularly, they resolved, that the fine and corporal punishment and imprisonment by the sentence of the Star-Chamber were illegal, and that he ought to have satisfaction for his sufferings and damages. Journ. Comm. 21 April, 1641.” Hargrave.

† *Histrionum-mastix*, or a Scourge for Stage Players, &c.

it was shown, the work was in the press before the Queen of Charles the First had taken part in a masque at Court, yet it was urged by Prynne's enemy, Bishop Laud, that the publication was intended to throw discredit on Her Majesty, and the writer was placed before the Star Chamber. To be there charged was to be condemned. Prynne's answer, though ineffectual as a defence, is curious, since it gives an insight of the delays and difficulties thrown in the way of an author by the licensers, and a passage from it may be quoted here as an illustration of the system:—

Mr. Prynne taking into his serious consideration the frequent resort of sundry sorts of people to common Stage-Plays about the City of London; and having read divers councils, laws and statutes of this and other realms, against the frequenting of common stage-plays, and the judgment and opinion of several divines, and other ancient authors, and divers English writers allowed by public authority, and his own judgment running with those; not intending to reflect, or to have relation to the king, queen, state, or government, or your lordships, did about seven years ago, compile this book entitled *Histrio-mastix*; which is no more but a collection of divers arguments and authorities against common Stage-Plays. That about four years since, he did commit the same to Michael Sparkes, one of the Defendants, to be commended to such persons as then had authority to license books for the press. Sparkes did carry it to Mr. King, belonging to the late Archbishop of Canterbury; and before he had perused this book, Mr. Buckner had authority to allow of the books, to the press: Sparkes brought this book to Mr. Buckner, who kept it by him three months, in which time he did fully peruse it. In the interim, he gave part of the book to Sparkes to print, and kept the rest till he had perused it, and said, that he should have that also to the press. In October following, he carried this copy with the licenec, and caused them to be entered into Stationers' Hall, and did com-

pound with those that had authority for the printing of this book. It was printed publicly, and not secretly; and because there was some of the copies close written, he caused these to be brought again to peruse, to the intent that he might not be deceived in them; and as he saw cause, corrected them accordingly. That in Easter-Term was twelvemonth, the Epistle, and the whole First Part of the Book was printed; and he had time to examine it between Easter-Term and Trinity, and then he did make such alterations as he saw cause, viz. in p. 711, &c. And afterwards the Second Part, and two sheets of the index of the book was likewise printed, and these were likewise brought to Mr. Buekner; so that the whole Book, with the Index, was bound up about Christmas following, which was Christmas was a twelve-month. Mr. Buekner sent for Mr. Prynn, and the stationer was desirous that the Book might be published, and that he might send some volumes to him: but Mr. Buekner said, he could wish the word ‘Pity,’ in such a page might be left out; and I wish with Mr. Buekner, that ‘Pity’ might be added to every page of the Book. So when Mr. Prynn saw all this from him, that had license to allow printed Books, he conceived it a sufficient warrant for his proceedings.

His judges thought differently. They convicted him, and sentenced him to the pillory; to lose his ears, to pay a fine of £5000, and afterwards to suffer imprisonment for life. His book they directed to be burnt by the common hangman. The licenser was fined £50; whilst Sparkes, another of the defendants, who is described as “a common publisher of unlawful and unlicensed books,” was also condemned to pay a fine of £500, and to stand in the pillory, and for the pillory to be in Paul’s Church Yard. “It is a consecrated place,” interposed the Archbishop of Canterbury, who sat as one of the judges. “I cry your Grace’s mercy,” added Lord Cottington, who was pronouncing sentence; “then let it be in Cheapside.” And

the sentence was executed accordingly; the Attorney General Noy, who prosecuted the unfortunate author, "laughing at Mr. Prynne, whilst he was suffering in the pillory."

A few years afterwards, (13th, Charles the First, 1637,) Prynne was again seized by the authorities, but this time he had companions in persecution. John Bastwick, a Physician; Henry Burton, Bachelor of Divinity; and William Prynne, Barrister, were proceeded against, by information in the Star Chamber, for writing and publishing books against the Hierarchy. They prepared their written answers, but no counsel having courage to sign the documents for fear of offending this dreaded court, the accused petitioned to be allowed to sign the answers themselves. This obvious justice was denied them, and the matters in the information were taken *pro confesso*. They loudly complained of this, and Prynne craved of the court "only so much favour and justice as Christ found before Pilate, and Paul before Felix, Festus, and Agrippa, or as every traitor and felon enjoys in the Court of Justice—to answer for himself when his counsel will not, cannot, or dare not." It was in vain. They were held to have pleaded guilty, because no barrister had signed their answers to the information, and, on the 14th of June, they were brought up for sentence. Let some extracts of the report of the proceedings, as they stand in the State Trials,* tell the sequel of this curious and interesting drama of real life in England, when Charles the First was King.

* State Trials, Vol. III., pp. 717, 754.

June 14, (1637.) The Lords being set in their places in the Star-Chamber, and the three Defendants brought to the bar, to receive their Sentences, the Lord Chief Justice Finch looking earnestly on Mr. Pryn, said, I had thought Mr. Pryn had no ears, but methinks he hath ears; which caused many of the lords to take the strieter view of him, and for their better satisfaction, the usher of the court was commanded to turn up his hair, and show his ears: upon the sight whereof the lords were displeased they had formerly been no more cut off, and cast out some disgraceful words of him. To which Mr. Pryn replied, 'My lords, there is never a one of your honours, but would be sorry to have your ears as mine are.'

Lord Keeper. In good faith he his somewhat sauey.

Mr. Pryn. I hope your honours will not be offended, pray God give you ears to hear.

Lord Keeper. The business of the day is to proceed on the Prisoners at the bar.

Mr. Pryn. then humbly desired of the Court to give him leave to make a motion or two, which being granted, he moved First, That their honours would be pleased to accept of a Cross Bill against the prelates, signed with their own hands, being that which stands with the justice of the Court which he humbly craves; and so tendered it. * * *

Lord Keeper. Your Answer comes now too late; proceed to the business of the day. Read the Information, which was read being very large, and having these five Books thereto annexed, Dr. Bastwick's Latin 'Apology,' his Litany, Mr. Burton's book entitled, 'An Apology for an Appeal to the king's most 'excellent majesty, with two Sermons for God and the King,' preached on the 5th of November last: The News from Ipswich, and the Divine Tragedy, recording God's fearful Judgments against Sabbath-Breakers.—The king's counsel being five, took each of them a several Book.

Mr. Attorney began with Dr. Bastwick's Latin Apology; next unto the Attorney, serjeant Whitfield falls upon Mr. Burton's book, saying, In good faith, my lords, there is never a page in this Book, but deserves a heavier and deeper Censure than this Court can put upon him.

Next followed the *Archbishop*, who in like manner descanted on The News from Ipswich, charging it to be full of pernicious lyes; and especially vindicating the honour of Matthew Wren, bishop of Norwich, as being a learned, pious, and reverend father of the Church.

Next followed the king's *Solicitor*, (Mr. Littleton) who descanted upon the Divine Tragedy; to which part of it concerning God's judgements on Sabbath-Breakers, he said, That they sat in the Seat of God, who judged these accidents which fell out upon persons suddenly struck, to be the judgments of God for Sabbath-Breaking.

Prynn sought to urge a word in defence, but was over-ruled. Dr. Bastwick also spoke out boldly against the manifest injustice of the Court:—

Dr. Bastwick. My noble lord of Arundell, I know you are a noble prince in Israel, and a great peer of this realm; there are some honourable lords in this court, that have been forced out as combatants in a single duel; it is between the Prelates and us, at this time, as between two that have appointed the field. The one being a coward goes to the magistrate, and by virtue of his authority disarms the other of his weapons, and gives him a bullrush, and then challenges him to fight. If this be not base cowardice, I know not what belongs to a soldier. This is the case between the Prelates and us, they take away our weapons (our Answers) by virtue of your authority, by which we should defend ourselves, and yet they bid us fight. My lord, doth not this savour of a base cowardly spirit? I know, my lord, there is a decree gone forth (for my Sentence was passed long since) to cut off our ears.

Lord Keeper. Who shall know our Censure, before the court pass it? Do you prophecy of yourselves?

Dr. Bastwick. My lord, I am able to prove it, and that from the mouth of the Prelates' own servants, that in August last it was decreed, that Dr. Bastwick should lose his ears. O my noble lords! is this righteous judgment? I may say, as the Apostle once said, What, whip a Roman! I have been a soldier able to lead an army into the field, to fight valiantly for the honour of their prince: Now I am a physician, able to cure

nobles, kings, princes, and emperors ; and to curtalize a Roman's ears like a cur, O my honourable lords ! is it not too base an act for so noble an assembly, and for so righteous and honourable a cause ? The cause, my lords, is great, it concerns the glory of God, the honour of our king, whose prerogative we labour to maintain and to set up in a high manner, in which your honours liberties are engaged : And doth not such a cause deserve your lordships consideration, before you proceed to censure ? * * My good lords, it may fall out to be any of your lordships cases to stand as delinquents at this bar, as we now do : It is not unknown to your honours, the next cause that is to succeed ours, is touching a person that sometime hath been in greatest power in this court : And if the mutations and revolutions of persons and times be such, then I do most humbly beseech your honours to look on us as it may befall yourselves. But if all this will not prevail with your honours to peruse my Books, and hear my Answer read, which here I tender upon the word and oath of a soldier, a gentleman, a scholar, and a physician, I will clothe them (as I said before) in Roman buff, and disperse them throughout the Christian world, that future generations may see the innocency of this cause, and your honours unjust proceedings in it ; all which I will do, though it cost me my life.

Burton claimed that his answer should be received, but was told his answer was impertinent:—

Thus the Prisoners desiring to speak a little more for themselves, were commanded to silence. And so the lords proceeded to Censure.

Lord Cottington. I condemn these three men to lose their ears in the Palace-yard at Westminster ; to be fined 5,000*l* a man to his majesty ; and to perpetual imprisonment in three remote places of the kingdom ; namely, the castles of Carnarvon Cornwall and Lancaster.

Lord Finch. I condemn Mr. Prynne to be stigmatized in the cheeks with two letters (S & L) for a Seditious Libeller. To which all the lords agreed. And so the Lord Keeper concluded the Censure. *

Archbishop Laud, after this sentence, made a lengthy speech, in which he defended the Bishops and himself against the attacks made upon them in the News from Ipswich, and other publications. No one could answer him in that chamber; the Court rose; and on the 30th of June the sentence was executed in Palace Yard, Westminster, where the pillory was put up. Again let us quote the State Trials, and see how gallantly these writers braved the wrath of their enemies:—

Dr. Bastwick and Mr. Burton first meeting, they did close one in the other's arms three times, with as much expressions of love as might be, rejoicing that they met at such a place, upon such an occasion, and that God had so highly honoured them, as to call them forth to suffer for his glorious Truth.

Then immediately after, Mr. Prynne came, the doctor and he saluting each other, as Mr. Burton and he did before. The doctor then went up first on the scaffold, and his wife immediately following came up to him, and saluted each ear with a kiss, and then his mouth. Her husband desired her not to be in the least manner dismayed at his sufferings: and so for a while they parted, she using these words 'Farewell my dearest, be of good comfort, I am nothing dismayed.' And then the doctor began to speak these words:

Dr. Bastwick. There are many that are this day spectators of our standing here, as delinquents, though not delinquents, we bless God for it. I am not conscious to myself wherein I have committed the least trespass (to take this outward shame) either against my God, or my king. And I do the rather speak it, that you that are now beholders may take notice how far innocency will preserve you in such a day as this is; for we come here in the strength of our God, who hath mightily supported us, and filled our hearts with greater comfort than our shame or contempt can be. The first occasion of my trouble was by the prelates, for writing a Book against the Pope, and the Pope of Canterbury said I wrote against him, and therefore

questioned me : but if the presses were as open to us as formerly they have been, we would shatter his kingdom about his ears : but be ye not deterred by their power, neither be affrighted at our sufferings ; let none determine to turn from the ways of the Lord, but go on, fight courageously against Gog and Magog. I know there be many here who have set many days apart for our behalf (let the prelates take notice of it) and they have sent up strong prayers to Heaven for us, we feel the strength and benefit of them at this time ; I would have you to take notice of it, we have felt the strength and benefit of your prayers all along this cause. In a word, so far I am from base fear, or cowering for anything that they can do, or cast upon me, that had I as much blood as would swell the Thames, I would shed it every drop in this cause ; therefore be not any of you discouraged, be not daunted at their power ; ever labouring to preserve innocence, and keep peace within, go on in the strength of your God, and he will never fail you in such a day as this : as I said before, so I say again, had I as many lives as I have hairs on my head, or drops of blood in my veins, I would give them all up for this cause. This plot of sending us to those remote places, was first consulted and agitated by the Jesuits, as I can make it plainly appear. O see what times we are fallen into, that the lords must sit to act the Jesuits plots ! For our own parts, we owe no malice to the persons of any of the prelates, but would lay our necks under their feet to do them good as they are men, but against the usurpation of their power, as they are bishops, we do profess ourselves enemies till dooms-day.

Prynn likewise spoke to the assembled crowd, amongst whom, doubtless, there were many who sympathized with these sufferers for liberty of printed thought. He said :—

We praise the Lord, we fear none but God and the king : Had we respected our Liberties, we had not stood here at this time : it was for the general good and liberties of you all that we have now thus far engaged our own liberties in this cause. For did you know how deeply they have entrenched on your

liberties in point of Popery ; if you knew but into what times you are cast, it would make you look about you : and if you did but see what changes and revolutions of persons, causes and actions, have been made by one man, you would more narrowly look into your privileges, and see how far your liberty did lawfully extend, and so maintain it.

This is the second time that I have been brought to this place ; who hath been the author of it, I think you all well know : For the first time, (7th Feb. 1633.) if I could have had leave given me, I could easily have cleared myself of that which was then laid to my charge ; as also I could have done now, if I might have been permitted to speak ; that book (*Histrio-mastix*), for which I suffered formerly, especially for some particular words therein written, which I quoted out of God's Word and antient Fathers, for which notwithstanding they passed censure on me ; that same book was twice licensed by public authority, and the same words I then suffered for, they are again made use of, and applied in the same sense by Heylin, in his Book lately printed and dedicated to the king, and no exceptions taken against them, but are very well taken.

Dr. Bastwick. And there is another Book of his licensed, wherein he rails against us three at his pleasure, and against the Martyrs that suffered in queen Mary's days, calling them Schismatical Hereticks ; and there is another book of Pocklington's licensed (*Altare Christianum*.) they be as full of lies as dogs be full of fleas ; but were the presses as open to us as they are to them, we would pay them, and their great master that upholds them, and charge them with notorious blasphemy.

Mr. Pryn. You all at this present see there be no degrees of men exempted from suffering : Here is a reverend Divine for the soul, a Physieian for the body, and a Lawyer for the estate.*

Bastwick, it will be seen, longed for the time when

* The Archbishop of Canterbury being informed by his spies what Mr. Pryn said, moved the lords then sitting in the Star Chamber that he might be gagged, and have some further censure presently executed upon him ; but that motion did not succeed. *State Trials, Vol. III., p. 749.*

the presses should be as open to them as it was to their opponents. That time was approaching, and these cruelties hastened it. But the pillory was gaping for its victims :—

Now the Executioner being come to sear him, and cut off his ears, Mr. Prynn spake these words to him : Come, friend, come, burn me, cut me, I fear not. I have learned to fear the Fire of Hell, and not what man can do unto me : come sear me, sear me, I shall bear in my body the marks of the Lord Jesus : Which the Executioner performed with extraordinary cruelty, heating his iron twice to burn one cheek : and cut one of his ears so close, that he cut off a piece of his cheek. He said, The more I am beaten down, the more am I lift up.

Upon the day for Execution, Mr. Burton being brought into the Palace-yard, unto a chamber that looked into the yard, where he viewed three pillories there set up : Methinks (said he) I see Mount Calvary, where the three crosses (one for Christ, and the other two for the two Thieves) were pitched : and if Christ were numbered among thieves, shall a Christian (for Christ's cause) think much to be numbered amongst rogues, such as we are condemned to be ? Surely, if I be a rogue, I am Christ's rogue, and no man's. And a little after, looking out at the casement towards the pillory, he said, I see no difference between looking out of this square window and yonder round hole. Pointing towards the pillory, he said, It is no matter of difference to an honest man. And a little after that, looking somewhat wistfully upon his wife, to see how she did take it, she seemed to him to be something sad ; to whom he thus spake : Wife, why art thou so sad ? To whom she made answer, Sweetheart, I am not sad. No, said he ? See thou be not, for I would not have thee to dishonour the day, by shedding one tear, or fetching one sigh ; for behold there, for thy comfort, my triumphant chariot, on which I must ride for the honour of my Lord and Master : and never was wedding day so welcome and joyful a day as this day is ; and so much the more, because I have such a noble captain and leader, who hath gone before me with such undauntedness of spirit, that he saith of himself, I gave

my back to the smiters, my cheeks to the nippers, they plucked off the hair, I hid not my face from shame and spitting, for the Lord God will help me, therefore shall I not be confounded: therefore have I set my face like a flint, and I know I shall not be ashamed. At length being carried toward the pillory, he met Dr. Bastwick at the foot of the pillory, where they lovingly saluted and embraced each other; and parting a little from him, he returned and most affectionately embraced him the second time, being heartily sorry he missed Mr. Prynne, who was not yet come, before he was gone up to his pillory, which stood alone next the Star Chamber, and about half a stone's cast from the other double pillory, wherein the other two stood; so as all their faces looked southward, the bright sun all the while, for the space of two hours, shining upon them. Being ready to be put into the pillory, standing upon the scaffold, he spied Mr. Prynne new come to the pillory, and Dr. Bastwick in the pillory who then hasted off his band, and called for a handkerchief, saying, What! shall I be last, or shall I be ashamed of a pillory for Christ, who was not ashamed of a cross for me? Then being put into the pillory, he said, Good people, I am brought hither to be a spectacle to the world, to angels and men; and howsoever I stand here to undergo the punishment of a rogue, yet except to be a faithful servant to Christ, and a loyal subject to the King, be the property of a rogue, I am no rogue. But yet if to be Christ's faithful servant, and the King's loyal subject deserve the punishment of a rogue, I glory in it, and I bless my God, my conscience is clear, and is not stained with the guilt of any such crime as I have been charged with, though otherwise I confess myself to be a man subject to many frailties and human infirmities. Indeed that Book intituled, "An Apology for an Appeal, with sundry Epistles and two Sermons, for God and the king," charged against me in the Information, I have and do acknowledge (the misprinting excepted) to be mine, and will by God's grace never disclaim it whilst I have breath within me. After a while, he having a nosegay, in his hand, a bee came and pitched on the nosegay, and began to suck the flowers, which he beholding, and well observing, said, Do ye not see this poor bee? she hath found out this very place to suck sweet from

these flowers; and cannot I suck sweetness in this very place from Christ?

With other such devout remarks, this reverend author of an open-speaking book endeavoured to lighten the sufferings of the pillory.

When the Executioner had cut off one ear, which he had cut deep and close to the head in an extraordinary cruel manner; yet he never once moved and stirred for it, though he had cut an artery, so as the blood ran streaming down upon the scaffold, which divers persons standing about the pillory seeing, dipped their handkerchiefs in, as a thing most precious, the people giving a mournful shout, and crying for the surgeon, whom the croud and other impediments for a time kept off, so that he could not come to stop the blood; he all the while held up his hands, said, Be content, it is well, blessed be God. The other ear being cut no less deep, he then was freed from the pillory, and came down, where the surgeon waiting for him, presently applied remedy for stopping the blood after a large effusion thereof, yet for all this he fainted not in the least manner, though through expense of much blood he waxed pale. And one offering him a little wormwood-water, he said, It needs not; yet through importunity he only tasted of it, and no more, saying, His master, Christ, was not so well used, for they gave him gall and vinegar, but you give me good strong water to refresh me, blessed be God. His head being bound up, two friends led him away to an house provided him in King-street, where being set down, and bid to speak little, yet he said after a pause, This is too hot to hold long: Now lest they in the room, or his wife should mistake, and think he spake of himself concerning his pain, he said, I speak not this of myself; for that which I have suffered is nothing to that my Saviour suffered for me, who had his hands and feet nailed to the cross: and lying still a while, he took Mr. Prynne's sufferings much to heart, and asked the people how he did, for, said he, his sufferings have been great. He asked also how Dr. Bastwick did, with much compassion and grief, that himself (being the first that was executed) could not stay to see how they two fared after him.

When all the ingenuities of cruelty had been thus tried upon Prynne, Bastwick, and Burton, they were securely locked up in prison;* but the key of the gaoler could not confine the thoughts that had escaped them at the pillory in Westminster, or obliterate from the minds of the spectators the recollection of the shameful exhibition. "The people," says Carte, "listened greedily to their speech. Notes were taken of them, and in written copies spread about the city."† Another Royalist recorder of these events, Clarendon, dilates upon the fact that their dangerous opinions "had been faithfully dispersed by their proselytes in London." These opinions, however, no man dared reprint in England, and recourse was had to presses abroad. Books, which it was found impossible to complete in this country, were produced in Holland and elsewhere, and secretly imported. The rule of the political economists that demand will create supply held good, and the very persecution of the offending writers having assisted in spreading their fame, the demand for copies of their books, unsatisfied by English publishers, was fed by the presses of Holland. As an additional punishment to Prynne, his volumes (and they were by no means small ones) were burnt by the hangman, so close under his nose as he stood in the pillory that he was nearly

* Prynne was taken to the Tower by water; and, on his passage in the boat, composed the following Latin verses on the two letters S. L., which had been branded on his cheek, to signify Schismatical Libeller, but which he chose to translate "Stigmata Laudes," the stigmas of his enemy, Archbishop Laud—

"Stigmata maxillis referens insignia *Laudis*
Exultans remeo, victima grata Deo."

† Carte's History of England, Vol. IV., p. 236.

choked by the flames and smoke; yet from the ashes of their destruction they rose again Phœnix-like, more vigorous in their power to offend the authorities. Various modes were adopted to stay this invasion of foreign reprints of distasteful opinions. On the 1st of July, 1637, a Star Chamber decree was issued, “for reducing the number of master printers, and punishing all others that should follow the trade, and for prohibiting as well the impression of all new books without licence, and of such as had been licensed formerly without a new one, as the importation of all books in the English tongue, printed abroad, and of all foreign books whatever, till a true catalogue thereof had been presented to the Archbishop of Canterbury, and the Bishop of London, and the books themselves had been received by their chaplains, or other learned men of their appointment, together with the masters and wardens of the Stationers’ Company.” Carte, who recites this order in his history, adds—“Care was taken to have this decree duly executed, and to procure from the States General of the United Provinces a proclamation against the printers and dispersers of seditious books and libels injurious to the Church and Bishops of England. The magistrates of Amsterdam and Rotterdam were likewise engaged to apprehend and punish such Englishmen as had printed any unlicensed pamphlets.”

These measures were so stringently acted upon, that for a time they seemed to have the intended effect, but the difficulties of the King’s government were increasing, and as the attention of his officers was called to other affairs, means were adopted for smuggling the

forbidden publications into London. To stop this, the Star Chamber was once more brought into play.

It was an old law—a law enacted in the reign of Richard the Third, who, though the villain of Shakspeare's play and of history, was yet in many things a prudent and talented king—that foreigners might import any books, and sell them, by retail or otherwise, in England.* Henry the Eighth repealed this law (in the 25th year of his reign), when books from foreign countries were likely to tell against his kingly views,† and imposed a fine on those who offended the new rule. A few years afterwards, the same monarch procured the passing of an act directing that any person printing opinions contrary to the six articles should be burnt alive.‡ His more benevolent son, the friend of education, Edward the Sixth, repealed this sanguinary decree: but the edict against imported books remained in force, was aided by the proclamations of Elizabeth,|| and was further strengthened by the

* 1st Richard III., e. 9, § 12. † 25th Henry VIII., e. 15, § 1,

‡ 31st Henry VIII., e. 14.

|| Queen Elizabeth seems to have been very fond of meddling with the spread of written opinion, as the following list of proclamations will testify:—

11th Eliz.—A proclamation was issued against “bringing into the realm unlawful books.”

12th Eliz.—A proclamation against “Seditious and traitorous books, bills, and writings.” 1st July.

15th Eliz.—A proclamation “prohibiting the having or selling of a book called The Admonition to the Parliament, made against the book of Common Prayer.” 11th June. In the same year another proclamation against slanderous and seditious books and libels. 28th September.

18th Eliz.—A proclamation “for the discovery of the authors of certain seditious and infamous libels.” 26th March.

21st Eliz.—A proclamation “against such as speak evil of Monsieur

obedient Parliament of James the First, who passed an act* prohibiting altogether the importation of Popish books in any language, and imposing a fine on all “who imported *Superstitious Books in English*.” Superstition in Latin, therefore, might be dealt in; and such a statute emanating from the author of a work on witchcraft is very amusing to us who live in days when witchcraft no longer obtains belief. Sanctioned by these laws, and by their own decree, the Star Chamber determined upon making another example that should cast terror upon the minds of the people.

They selected two victims,—one a man in his eighty-fifth year, but whose character and exertions had strengthened the popular cause; the other a youth of twenty, who had newly arrived from a visit to Holland, the country whence the hated books were brought. This selection was most unfortunate for those who made it; for the old man, John Wharton, became in the eyes of the people a venerable martyr; whilst the injustice and cruelty of the Star Chamber goaded the youth to a heroism of puritanical furor and soldierly zeal which bore bitter fruits to his oppressors, when Cavalier met Roundhead at Edgehill and Marston Moor.

the French King’s brother, and against a book seditiously published against him by *Stubs*, called the *Gaping Gulfe*.” 27th September.

25th Eliz. A proclamation “against seditious and schismatical books and libels.” June.

26th Eliz.—A similar proclamation.

31st Eliz.—Another repetition of the same.

43rd Eliz.—A proclamation offering a reward of £100 (a very large sum in these days) to such as shall discover any authors or writers of such libels as were scattered abroad in London. 5th April.

* 3rd James I., c. 5, § 25.

The manner of Lilburn's seizure, and the treacherous civilities of Mr. Cockshey, the Attorney General's clerk, cannot be better told than in the words of the chief actor in the scenes:—

Upon Tuesday the 11th or 12th Dec. 1637, I was treacherously and Judasly betrayed (by one that I supposed to be my friend) into the hands of the pursuivant, with four of his assistants, as I was walking in Soperlane with one John Chilburne, servant to old Mr. John Wharton, in Bow-lane, a hot-presser. And about twelve of the clock the next day, I was committed to the Gate-house, by sir John Lamb, the prelate of Canterbury's chancellor, with others, without any examination at all, for sending of factious and scandalous Books out of Holland into England. And having not been at the foresaid prison above three days, I was removed, by a warrant from the Lords of the Council, to the Fleet, where I now remain. And after my being there some time, I drew a Petition to the Lords of the Council for my liberty; and their Answer to it was, that I should be examined before sir John Banks, the king's Attorney: The copy of which examination thus follows.

Upon Tuesday the 14th Jan. 1637, I was had to sir John Banks the Attorney General's chamber, and was referred to be examined by Mr. Cockshey his chief clerk; and at our first coming together, he did kindly intreat me, and made me sit down by him, and put on my hat, and began with me after this manner; Mr. Lilburn, what is your Christian name? I said John.—Did you live in London before you went into Holland? Yes, that I did.—Where? Near London-stone.—With whom there? With Mr. Thomas Hewson.—What trade is he? A dealer in cloth, I told him.—How long did you serve him? About five years.—How came you to part? After this manner: I perceiving my master had an intention to leave off his trade, I often moved him that I might have my liberty, to provide for myself, and at the last he condescended unto it: and so I went into the country, to have the consent of my friends; and after that went into Holland.—Where were you there? At Rotterdam.—And from thence you went to Amsterdam? yes I was

at Amsterdam.—What books did you see in Holland? Great store of books, for in every bookseller's shop as I came in, there were great store of books.—I know that, but I ask you if you did see Dr. Bastwick's Answer to my master's Information, and a Book called his Litany? Yes, I saw them there; and if you please to go thither, you may buy an hundred of them at the booksellers, if you have a mind to them.—Have you seen the "Unbishopsing of Timothy and Titus," the "Looking-glass," and a "Breviate of the Bishop's late Proceedings"? Yes I have, and those also you may have there, if you please to send for them.—Who printed all those books? I do not know.—Who was at the charges of printing them? Of that I am ignorant.—But did you not send over some of these books? I sent not any of them over.—Do you know one Hargust there? Yes, I did see such a man.—Where did you see him? I met with him one day accidentally at Amsterdam.—How oft did you see him there? Twice upon one day.—But did not he send over books? If he did, it is nothing to me, for his doings are unknown to me.—But he wrote a letter, by your directions, did he not? What he writ over I know no more than you.—But did you see him no where else there? Yes, I saw him at Rotterdam.—What conference had you with him? Very little; but why do you ask me all these questions; these are beside the matter of my imprisonment; I pray come to the thing for which I am accused and imprisoned.—No, these are not beside the business, but do belong to the thing for which you are imprisoned.

But do you know of any that sent over any books? What other men did, doth not belong to me to know or search into; sufficient it is for me to look well to my own occasions.—Well, here is the Examination of one Edmund Chillington, do you know such a one? Yes.—How long have you been acquainted with him? A little before I went away, but how long I do not certainly know.—Do you know one John Wharton? No.—Do you not? he is a hot-presser. I know him, but I do not well remember his other name.—How long have you been acquainted with him, and how came you acquainted? I cannot well tell you.—How long do you think? I do not know.—What speeches had you with Chillington since you came to town? I am not

bound to tell you : but sir (as I said before) why do you ask me all these questions ? these are nothing pertinent to my imprisonment, for I am not imprisoned for knowing and talking with such and such men, but for sending over Books ; and therefore I am not willing to answer you to any more of these questions because I see you go about by this Examination to ensnare me : for seeing the things for which I am imprisoned cannot be proved against me, you will get other matter out of my examination : and therefore if you will not ask me about the thing laid to my charge, I shall answer no more : but if you will ask of that, I shall then answer you, and do answer that for the thing for which I am imprisoned, which is for sending over books, I am clear, for I sent none ; and of any other matter you have to accuse me of, I know it is warrantable by the law of God, and I think by the law of the land, that I may stand upon my just defence, and not answer to your interrogatories ; and that my accusers ought to be brought face to face, to justify what they accuse me of. And this is all the answer that for the present I am willing to make : and if you ask me of any more things, I shall answer you with silence.—At this he was exceeding angry, and said, there would be a course taken with me to make me answer. I told him, I did not regard what course they would take with me ; only this I desire you to take notice of, that I do not refuse to answer out of any contempt, but only because I am ignorant of what belongs to an Examination, (for this is the first time that ever I was examined ;) and therefore I am unwilling to answer to any impertinent questions, for fear that with my answer I may do myself hurt.—This is not the way to get liberty : I had thought you would have answered punctually, that so you might have been dispatched as shortly as might be. I have answered punctually to the thing for which I was imprisoned and more I am not bound to answer, and for my liberty I must wait God's time.—You had better answer, for I have two Examinations wherein you are accused. Of what am I accused ?—Chillington hath accused you for printing ten or twelve thousand of books in Holland, and that they stand you in about 80*l.*, and that you had a chamber at Mr. John Foot's at Delf, where he thinks the books were

kept, and that you would have printed the “Unmasking of the Mystery of Iniquity,” if you could have got a true copy of it. I do not believe that Chillington said any such things; and if he did, I know and am sure, that they are all of them lies.—You received money of Mr. Wharton since you came to town, did you not? What if I did?—It was for books? I do not say so.—For what sort of books was it? I do not say it was for any, and I have already answered all that for the present I have to answer; and if that will give you content well and good; if not do what you please.—If you will not answer no more (here I told him, if I had thought he would have insisted upon such impertinent questions, I would not have given him so many answers) we have power to send you to the place from whence you came. You may do your pleasure, said I.—So he called in anger for my keeper, and gave him a strict charge to look well to me. I said, they should not fear my running away.

And so I was sent down to sir John Banks himself. And after he had read over what his man had writ, he called me in, and said, I perceive you are unwilling to confess the truth.

Lilburn. No sir, I have spoken the truth.

Sir John Banks. This is your Examination is it not? What your man hath writ, I do not know.—Come near, and see that I read it right. Sir, I do not own it for my Examination, your man hath writ what it pleased him, and hath not writ my answer; for my answer was to him, and so it is to you, that for the thing for which I am imprisoned (which is for sending over Books) I am clear, for I did not send any, and for any other matter that is laid to my charge, I know it is warrantable by the law of God, and I think by the law of the land, for me to stand upon my just defence, and that my accusers ought to be brought face to face, to justify what they accuse me of: and this is all that I have to say for the present.—You must set your hand to this your Examination. I beseech you, sir, pardon me, I will set my hand to nothing but what I have now said.—So he took the pen and writ, ‘The examined is unwilling to answer to any thing but that for which he is imprisoned.’ Now you will set your hand to it; I am not willing, in regard I do not own that which your man hath writ; but if it please

you to lend me the pen, I will write my answer, and set my hand to it. So he gave me the pen and I begun to write thus: 'The Answer of me, John Lilburn, is,' and here he took the pen from me, and said he could not stay, that was sufficient. Then one of my keepers asked him if they might have me back again? And he said yea; for he had no order for my enlargement.

And about ten or twelve days after, I was had forth to Grays-Inn again; and when I came there, I was had to the Star Chamber office; and being there, as the order is, I must enter my appearance, they told me. I said, To what? For I was never served with any subpœna; neither was there any bill preferred against me, that I did hear of. One of the clerks told me, I must first be examined, and then sir John would make the bill. It seems they had no grounded matter against me for to write a bill, and therefore they went about to make me betray my own innocency, that so they might ground the bill upon my own words: and at the entrance of my appearance, the clerk and I had a deal of discourse, (the particulars whereof for brevity sake I now omit;) but in the conclusion he demanded money of me, for entering of my appearance: and I told him I was but a young man, and a prisoner, and money was not very plentiful with me, and therefore I would not part with any money upon such terms. Well (said he) if you will not pay your fee, I will dash out your name again. Do what you please (said I) I care not if you do; so he made complaint to Mr. Goad, the master of the office, that I refused to enter my appearance. And then I was brought before him, and he demanded of me what my business was? I told him, I had no business with him, but I was a prisoner in the Fleet, and was sent for, but to whom and to what end I do not know, and therefore if he had nothing to say to me, I had no business with him. And then one of the clerks said, I was to be examined. Then Mr. Goad said, tender him the book: so I looked another way, as though I did not give ear to what he said; and then he bid me pull off my glove, and lay my hand upon the book. What to do sir? said I. You must swear, said he. To what? 'That you shall make true answer to all things that are asked you.' 'Must I so, sir? but before I swear, I will know to what I must swear.

As soon as you have sworn, you shall, but not before.—To that I answered sir, I am but a young man, and do not well know what belongs to the nature of an oath, and therefore before I swear, I will be better advised.—Saith he, how old are you? About 20 years old, I told him.—You have received the Sacrament, have you not? Yes, that I have.—And you have heard the ministers deliver God's word, have you not? I have heard sermons. Well then, you know the holy Evangelists? Yes, that I do.—But, sir, though I have received the Sacrament, and have heard sermons, yet it doth not therefore follow that I am bound to take an oath, which I doubt of the lawfulness of.—Look you here, said he (and with that he opened the book), we desire you to swear by no foreign thing, but to swear by the holy Evangelists.—Sir, I do not doubt or question that; I question how lawful it is for me to swear to I do not know what.—So some of the clerks began to reason with me, and told me every one took that oath: and would I be wiser than all other men? I told them, it made no matter to me what other men do; but before I swear, I will know better grounds and reasons than other men's practices, to convince me of the lawfulness of such an oath, to swear I do not know to what.—So Mr. Goad bid them hold their peace, he was not to convince any man's conscience of the lawfulness of it, but only to offer and tender it. Will you take it or no, saith he? Sir, I will be better advised first: Whereupon there was a messenger sent to sir John Banks, to certify him, that I would not take the Star Chamber oath; and also to know of him what should be done with me. So I looked I should be committed elose prisoner, or worse. And about an hour after came Mr. Cockshey, Sir John's chief clerk; What, said he, Mr. Lilburn, it seems you will not take your Oath, to make true answer? I told him, I would be better advised before I took such an oath. Well then, saith he, you must go from whence you came.

Upon Friday the 9th of February, in the morning, one of the officers of the Fleet came to my chamber, and bid me get up and make me ready to go to the Star Chamber Bar forthwith. I having no time to fit myself, made me ready in all haste to go.

To detail the proceedings before the Star Chamber would only be to repeat again the scene of intolerant and glaring injustice enacted in the case of Prynne, and others. Lilburn refused to be sworn; he loudly protested his innocence of the offence charged against him, and there is every reason to believe that he spoke the truth. When heard in his defence, he said:—

It seems there were divers Books sent out of Holland, which came to the hands of one Edmund Chillington, who made this Affidavit against us; and as I understand, he delivered divers of these Books unto one John Chilburne, servant to this old man Mr. Wharton; and his master being in prison, he dispersed divers of them for the foresaid Chillington's use; whereupon the Books were taken in his custody: he being found dispersing of them, goes to one Smith, a taylor, in Bridewell, (as I am informed) and desires him to get his peace made with the bishops. Whereupon he covenants with some of the bishops' creatures to betray me into their hands, being newly come out of Holland, which, (as he said,) did send over these Books. So, my Lords, he having purchased his own liberty, lays the plot for betraying me, and I was taken by a pursuivant and four others of his assistants, walking in the streets with the foresaid John Chilburne, who had laid and contrived the plot before (as I am able to to make good.)

The sentence of the Court was, that Wharton should be fined £500, be pilloried, and imprisoned; whilst Lilburn, "being a young man, for example sake, should have some corporal punishment" inflicted upon him. It was ordered, therefore, that he should be whipped before he was put into the pillory; and that, like his fellow-sufferer, he should be fined £500, and imprisoned.

The orders of the Court were rigorously obeyed. Lilburn was whipped through the streets from the

Fleet Prison, along the Strand to the pillory, which had been set up between Westminster Hall gate and the Star Chamber close by. As the cart drew him along he repeated Scripture texts, and talked enthusiastically to the people.* When the flogging was over, and he was untied from the cart at Westminster, he was taken into a tavern to await the remainder of the punishment: and here let him again tell his own tale:—

I was cruelly whipped through the streets to Westminster, and at the last came to the pillory, where I was unloosed from the cart, and having put on some of my clothes, went to the tavern, where I staid a pretty while waiting for my surgeon, who was not yet come to dress me; where were many of my friends, who exceedingly rejoiced to see my courage, that the Lord had enabled me to undergo my punishment so willingly.

I had a desire to retire into a private room from the multitude of people that were about me, which made me like to faint; I had not been there long, but Mr. Lightbourne, the tipstaff of the Star Chamber, came unto me, saying, the Lords sent him to me to know if I would acknowledge myself to be in fault, and then he knew what to say unto me. To whom I replied, Have their honours caused me to be whipped from the Fleet to Westminster, and do they now send to know if I will acknowledge a fault? They should have done this before I had been whipped; for now, seeing I have undergone the greatest part of my punishment, I hope the Lord will assist me to go through it all: and beside, if I would have done this at the first, I needed not to have come to this: but as I told the Lords when I was before them at the bar, so I desire you to tell them again, that I am not conscious to myself of doing any thing that deserves a submission, but yet I do willingly submit to their Lordships' pleasures in my censure. He told me, if I would confess my fault, it would save me a standing in the pillory: otherwise, I must undergo the burthen of it.

* State Trials, Vol. III., p. 1328.

Well, said I, I regard not a little outward disgrace for the cause of my God; I have found already that sweetness in him in whom I have believed, that through his strength I am able to undergo any thing that shall be inflicted on me: but methinks that I had very hard measure, that I should be condemned and thus punished upon two oaths, in which the party has most falsely forsworn himself; and because I would not take an oath to betray mine own innocence. Why, Paul found more mercy from the heathen Roman Governors, for they would not put him to an oath to accuse himself, but suffered him to make the best defence he could for himself: neither would they condemn him, before his accusers and he were brought face to face, to justify, and fully to prove their accusation: but the Lords have not dealt so with me, for my accusers and I were never brought face to face, to justify their accusation against me. It is true, two false oaths were sworn against me, and I was thereupon condemned; and because I would not accuse myself. And so he went away, and I prepared myself for the pillory, to which I went with a joyful courage; and when I was upon it, I made obeisance to the Lords, some of them, as I suppose, looking out at the Star Chamber window towards me. And so I put my neck into the hole, which being a great deal too low for me, it was very painful to me, in regard of continuance of the time that I stood on the pillory, which was about two hours; my back being also very sore, and the sun shining so exceedingly hot, and the tipstaff-mau not suffering me to keep on my hat to defend my head from the heat of the sun, so that I stood there in great pain: yet through the strength of my God I underwent it with courage, to the very last minute.

When in the pillory he addressed the people, affirming his innocence; pointing out how his accuser had committed perjury; and then went on to denounce the Bishops, and to applaud Prynne, Bastwick, and Burton, as martyrs who had suffered on the same spot. He described the Church as descended from that of Rome, and interwove his speech with texts and Scrip-

tural allusions, which met hearty sympathy from many of the assembled multitude gathered near the spot. Gradually his discourse grew into a complete sermon on the times :—

It is true I am a young man, and no scholar, according to that which the world counts scholarship, yet I have obtained mercy of the Lord to be faithful, and he, by a Divine Providence, hath brought me hither this day; and I speak to you in the name of the Lord, being assisted with the spirit and power of the God of heaven and earth: and I speak not the words of rashness or ineonsiderateness, but the words of soberness and mature deliberation; for I did consult with my God, before I came hither, and desired him that he would direct and enable me to speak that which might be for his glory and the good of his people. And as I am a soldier, fighting under the banner of the great and mighty Captain the Lord Jesus Christ; and so I look for that crown of immortality, which one day I know shall be set upon my temples, being in the condition that I am in, I dare not hold my peace, but speak unto you with boldness in the might and strength of my God, the things which the Lord in mercy hath made known unto my soul, come life, come death.

This mode of speech found more favour with the crowd than with those who had ordered Lilburn's punishment, and at this point he was interrupted in a way he himself thus describes :—

When I was hereabout, there came a fat lawyer, I do not know his name, and commanded me to hold my peace, and leave my preaching. To whom I replied and said, Sir, I will not hold my peace, but speak my mind freely, though I be hanged at Tyburn for my pains. It seems he himself was galled and touched, as the lawyers were in Christ's time, when he spake against the Scribes and Pharisees, which made them say, "Master, in saying thus thou revilest us also." So he went his way, and I think complained to the Lords.

Lilburn went on with his discourse for a while, and scattered some forbidden books among the people. The effect upon the throng was evident. He was gaining applause instead of derision. The Star Chamber was being bearded on its own portal, and a messenger came a second time to command him to be silent. "I will speak and declare my cause and mind, though I be hanged at that gate for speaking." He was threatened with a second flogging as he stood in the pillory, but he was not to be daunted.

So the Warden of the Fleet caused proclamation to be made upon the pillory, for bringing to him the Books: so then he commanded me to be gagged, and if I spake any more, that then I should be whipt again upon the pillory.—So I remained about an hour and a half gagged, being intercepted of much matter, which by God's assistanee I intended to have spoken.
* * And when I was to come down, having taken my head out of the pillory, I looked about me upon the people, and said, 'I am more than a conqueror through him that hath loved me.' * * And so I came down and was had back again to the tavern, where I, together with Mr. Wharton, staid a while, till one went to the Warden to know what should be done with me, who gave order we should be carried back again to the Fleet.—After I came back to the prison, none were suffered to come to me, but the surgeon.

A cruel imprisonment of more than two years followed. He was laid in irons, was kept almost without food, and, when suffering from a fever thus induced, was refused the succour of friends or the help of servants, "so that if he had not been relieved by stealth of his fellow-prisoners," he must have died.*

* Lilburn afterwards became an enthusiastic republican, and displayed an unconquerable spirit that bore him through the difficulties of a chequered and adventurous life. He fought on the side of the

Whilst Lilburn lay in gaol, great changes were in progress throughout the country. King Charles had by this time embroiled himself to a most dangerous extent on all sides. In Scotland he had attempted to coerce the people into an unpopular religious observance, and had found, when it was too late, that the people of that country, when they came to a mental resolve, were not to be deluded by regal cajolery, or to be frightened by a display of regal anger. To them the question of a liturgy was a question of duty to their God, which they dared to think more important than fealty to an earthly King. The popular feeling could find no expression and no safety-valve in a Newspaper, and could be shown through the press only in a book. Such publications did not fail to appear, and to be read. The arm of authority was stretched out to stay the printed thoughts,—three proclamations were issued,* all of an unpopular character, the third being directed against a certain “seditious book,” which was ordered to be suppressed. This brought affairs to a crisis. A tumult arose in Edinburgh; three hundred women, attended, says Carte, by “a rabble of men,” sought to tear the authors of the obnoxious ordinances

Parliament in the chief battles of the Civil War; at Brentford he was taken prisoner, and narrowly escaped the gallows; at Marston Moor he led a regiment of dragoons very gallantly, and at the conclusion of the strife of the sword he wielded a pen. His opinions subsequently got him into gaol on a charge of contempt, and he was brought before the House of Lords for that offence. He contrived, even whilst in gaol, to publish a pamphlet. The courage that availed him in the pillory did not fail him afterwards. He was tried for accusing Cromwell and Ireton of treason; but his defence was so clever, that he obtained an acquittal. He died in 1657.

* Oct. 17. See Carte's History of England, p. 141-2.

to pieces, and the noblemen and priests who assembled in the Scottish city to suppress the people's thirst for freedom of conscience and thought, had a narrow escape for their lives.

The friends of Prynne, Bastwick, and Burton were also active, though not so violent as their Scottish brethren. These writers had been confined in prisons in this country, but the number of their sympathizers increased so rapidly that the King's advisers thought it best to remove them to more distant places of security; and they were accordingly taken to gaols across the sea.

Prynne was sent to a castle in Jersey, and Burton to Guernsey, but their absence did not effect the purpose the king had in view, for the obnoxious opinions were nourished in silence only to display their real strength when a favourable opportunity arose. The wives and other relatives of the condemned writers led the van of those who sought their emancipation. The power of the supreme court—the Star Chamber—no man, however bold, had yet ventured to impeach;* but the sentence of that authority, it was urged, had consigned Prynne and his companions to some prison in England or Wales; it was the Lords of the Council who had selected more distant places of incarceration. This change in the mode of carrying out the Star Chamber decision was declared to be a violation of it. Meanwhile, the King's difficulties in Scotland compelled him to be more conciliating towards the Parliament; and he promised, if they agreed to his demands for money to help him against the Scotch, he would give

* Clarendon, *Hist. of Rebellion*, Vol. I., p. 159.

the Commons of England satisfaction in their just demands. All this was thought to augur well; but a hasty and ill-advised dissolution of the Parliament soon made affairs worse than ever. Troubles grew on all sides, and murmurs were rising audibly in all parts of the kingdom. Money was the Monarch's great want, and, in the hope of getting it, he summoned the memorable Parliament that met on the 3rd of Nov. 1640—as it proved, to sit so long and to do so much. Soon after they assembled, the friends of Prynne, aided by the pressure from without, induced the speaker to issue his warrant “to the Governors and Captains of the several Castles, to bring their prisoners in safe custody to London.”

Now the feelings of the people were displayed, as Clarendon bears witness; and such a witness, hating Prynne and his opinions, may well be relied on not to exaggerate the favour shown to the released writers. “Prynne and Burton,” says the Chancellor, “being neighbours, though in distinct islands, landed at the same time at Southampton, where they were received, and entertained with extraordinary demonstrations of affection and esteem; attended by a marvellous conflux of company; and their charges not only borne with great magnificence, but liberal presents given to them. And this method and ceremony kept them company all their journey; great herds of people meeting them at their entrance into all towns, and waiting upon them out, with wonderful acclamations of joy. When they came near London multitudes of people of several conditions, some on horseback, others on foot, met them some miles from the town, very many having

been a day's journey; and they were brought, about two of the clock in the afternoon, in at Charing Cross, and carried into the City by above ten thousand persons with boughs and flowers in their hands, the common people strewing flowers and herbs in the ways as they passed, making great noise and expressions of joy for their deliverance and return, and in those acclamations mingling loud and virulent exclamations against the Bishops who had so cruelly prosecuted such godly men. In the same manner, within five or six days after, and in like triumph, Dr. Bastwick returned from Silley, landing at Dover, and from thence, bringing the same testimonies of the affections and zeal of Kent as the others had done from Hampshire and Surrey, was met before he came to Southwark by the good people of London, and so conducted to his lodging likewise in the City.*

This great and unmistakeable demonstration of wide-spread sympathy for men who had been imprisoned because they were popular writers, was not without further results. Prynne was elected a Member of Parliament for Newport; the abuses of the irresponsible Court that had condemned him were again brought prominently forward; and when the King, humbled by the difficulties which his mode of government had accumulated about him, came again to the

* Prynne, like Lilburn and Knightley, when opportunity offered, returned good for evil, by an exhibition of tolerance when their enemies required it. Prynne spoke in the House of Commons in favour of Charles the First, when such a course was eminently dangerous. After the Restoration, the author of the philippic against plays and players was made keeper of the records by the very King who was so great a patron of the stage and its immoralities. He died in 1669.

Parliament for aid, that Parliament gave in a list of grievances for redress. Prominent in the catalogue was the obnoxious tribunal that had done so much injustice; the King yielded; and in February 1641 the Star Chamber, to the great joy of all good men, was abolished!

This was the first great step towards the liberty of the press in England, and no sooner had it been taken than the Newspapers began to print English News and to discuss English affairs. But the Parliament did not content themselves with abolishing the Star Chamber: they openly placed their legislative conduct before the people for scrutiny, by allowing the publication of reports of their proceedings. These reports were first issued under the title of *DIURNAL OCCURRENCES IN PARLIAMENT*, and were continued from November the 3rd, 1641, till the Restoration put an end, for a time, to a custom so dangerous to despotism.

In the British Museum Collection we find the proceedings of the earlier days of the Long Parliament printed in a volume; but numbers of the separate pamphlets and Newspapers may be seen. Here is the title page of one:—

Diurnal Occurrences, or the heads of several proceedings in both Houses of Parliament, from the 13th of December to the 20th of the same, 1641. Wherein they concluded what English and Scottish forces, both of horse and foot, shall speedily be sent for Ireland &c.

This early Newspaper report of Parliamentary proceedings contains six small quarto pages, besides the title, and has for imprint the royal arms, with the

initials C. R. Subsequent publications are to be seen with the heading "Speeches and passages of this great and happy Parliament."

Our national library is rich in printed memorials of this important period of our history. In the basement story (not to call it the cellar) of the British Museum, the visitor who has the good fortune to gain admission to the place finds our English national collection of political journals. Certainly more than a thousand yards of shelving are there stored with volumes of Newspapers. The earliest in date are small meagre-looking octavos and quartos; and as the eye ranges in the half-obsured light along the laden shelves, from the corner where these primitive sheets of the time of James the First and Charles the First now stand, the volumes are seen growing in size and number as their dates rise, until the journals of one county in our time are found exceeding in bulk and completeness the whole Newspaper literature of the Kingdom during an entire century of its earlier existence. These files of old Papers excite a strange feeling. Few things are sought with more eagerness, and few things are sooner cast aside as worthless, than a Newspaper; yet still fewer are more interesting than a file of such old prints. Look into them. You see the aspects, and hear (as some one says) the very hum of a past life. In history we have the experience of a generation told in its results, its events; the individuals are lost in the consideration of their epoch; but in an old volume of Newspapers you have the past generation telling their own story; breathing, as it were, their every-day life into print—confessing to the

future the deeds of their own hour. In these Museum vaults the papers least imposing in outward aspect are perhaps the most important. Some of those, so small and so poorly printed that they become contemptible in appearance when compared with the broad-sheets of our day, have nevertheless a deep interest from matter they contain. In one we have the death of Hampden told, others describe the executions of men whose names are now so prominent in history, and as we go on in the search, we find, one by one, cotemporary notices of all the great events of the great civil war.*

* The "London's Intelligeneer, or Truth impartially related from thence to the whole Kingdome to prevent mis-information," has the following account of the execution of Archbishop Laud :—

"Thursday, January 16, 1644.—On Friday last, *Jann* 10, (about twelve a cloeke) the Archbishop of Canterbury was brought from the Tower, attended by the Lieutenant and Officers belonging thereunto. At his comming he made his last Sermon or *ultimum vale* on the Seafold, upon the conclusion whereof and of two short prayers, and the saying of these words, *Lord receive my spirit*, the Executioner parted his head from his body at one stroke. A cloud attended the time of execution, but the Sun was splendent as soone as his head was off.

"The fancies or conjectures of the multitude concerning this breaking forth of the Sunne are various, and are formed according to the severall dispositions of the persons framing; (although for my owne part I cannot looke upon it as any matter extraordinary) yet for the satisfaction of some I shall briefly mention three of the most probable and rationall publike conjectures.

"That which was brought by the Episeopall and malignant party was—*That the Sun did before (as abhorring such an act) hide itselfe in a cloud till the act was done, and then shone forth in its lustre.*

"A second (and those the more moderate and well-affected party observed)—*That the Sun, immediately after his Execution shone forth in much brightnessse, as rejoyeing and triumphing to behold such an exemplary and necessary act of justice inflicted upon so eminent and notorious a delinquent.*

The papers produced by Butter and his contemporaries scarcely fill one short shelf in the great Museum collection, but the library is abundantly supplied with pamphlets and journals of a somewhat later date.

From 1640 till the Restoration of Charles the Second nearly thirty thousand journals, pamphlets, and papers were published. The press during its first freedom had perhaps allowed that liberty to run into licence—it had literally rioted in production. Fortunately for history, a Mr. Thomasson, who lived through the stormy period of the Civil War and the Commonwealth, was induced to make a collection of everything that issued from the press during his time. He obtained a copy of each pamphlet and stray sheet that

“A third party—*That it did portend or prognosticate, that the light of the Gospell that hath been heretofore so much echysped by the interposition of this Archbishop and his instruments should now be displayed and discover itselfe in its beauty and brightnesse.*

“I shall leave the issue of these conjectures or constructions to the omnipotent and omniscient Disposer of all things, and shall now trouble you no more with his *quondam little Grace of Canterbury*, than this: That as in his life time (*usque ad momentum mortis*) he had contented himselfe with set formes and models, his prayer which he said immediately after his speech on the Scaffold being before penned and contrived by himselfe; so he wanted not an ocean or deluge of common prayer to waft him to his place. The prayers were rehearsed, and also an oration concerning his death was made by one *Fletcher*, at his interring in *Barking Church, neere Tower-hill*, the same day.”

The Weekly Intelligencer refers to Hampden's death:—

“The loss of Colonel Hampden goeth near the heart of every man that loves the good of his King and Country, and makes some conceive little content to be at the army now that he is gone. The memory of this deceased colonel is such, that in no age to come but it will more and more be had in honour and esteem: a man so religious, and of that prudence, judgment, temper, valour, and integrity, that he hath left few his like behind.”

was procurable, and this store of valuable evidences on the events and feelings of a remarkable era is now safely housed in the British Museum. The story of how this collection was made, and for whom;* how

* The following memorandum, relative to this collection of Newspapers, books, and pamphlets, is from the curious autograph in the first volume of the Catalogue:—

“A Complete Collection of Books and Pamphlets Begun in the year 1640, by the Special Command of King Charles the First of Blessed Memory, and continued to the happy Restoration of the Government, and the Coronation of King Charles the Second. There hath been very much money disbursed, and great Pains taken, and many Hazards run, in making an exact Collection of all the Pamphlets that were published from the Beginning of that Long and Rebel-Parliament, which began November 1640, till His late Majestie’s Happy Restauration and Coronation, consisting of near Thirty Thousand several Sorts, and by all Parties. They may be of very great Use to any Gentleman concerned in Publick Affairs, both for this Present, and After-Ages, there being not the like in the World, neither is it possible to make such a Collection. The Collection contains above Two Thousand bound Volumes, all of them uniformly bound, as if they were done at one Time, and all exactly Marked and Numbered. The Method that has been observed, is Time, and such punctual Care was taken, that the very Day is written upon most of them, when they came out. The Catalogue of them fairly written, is in Twelve Volumes in Folio; and though the Number of them be so great, (when the Books are set in their order according to the Mark set upon each of them) the smallest Piece, though but one Sheet of Paper, being shown in the Catalogue, may be found in a moment; which method is of singular use to the Reader. In the whole are contain’d near one Hundred general MS. Pieces that were never printed, all, or most of them on the King’s behalf, which no man durst then venture to publish without endangering his Ruine. But the Peruser now may by them be let into the Knowledge of many Occurrences in those Times, which have pass’d hitherto unobserv’d. This Collection was so privately carried on, that it was never known that there was such a Design in hand; the Collector designing them only for His Majestie’s Use that then was: His Majesty having occasion for a Pamphlet, could no where compass the Sight of it but from him, which His Majesty having perused, was very

King Charles the First was to have paid for it, but by his unhappy fate was prevented from fulfilling his contract; how, through manifold dangers, the books were saved from destruction; how the restored King, Charles the Second, allowed the widow of the collector to go unrewarded, and to seek another purchaser for these rare documents gathered together for his predecessor; and how, finally, George the Third obtained the volumes, and gave them to the Museum, is a story that has been often told.

With this previous reference to the existing copies of Newspapers of the time we speak of, let us return to the period when the Parliament first offered their pro-

well pleased with the Design, and commanded a Person of Honour to restore it with his own Hands, and withall express'd His desire of having the Collection continued: This was the great Encouragement to the Undertaker, who had otherwise desisted prosecuting so difficult and chargeable a Work, which lay a heavy Burden upon himself and his Servants for above Twenty Years. To prevent the Discovery of them, when the Army was Northwards, he pack'd them up in several Trunks, and by one or two in a Week sent them to a trusty Friend in Surry, who safely preserv'd them; and when the Army was Westward, and fearing their Return that way; they were sent to London again; but the Collector durst not keep them, but sent them into Essex, and so according as they lay near Danger, still, by timely removing them, at a great Charge, secur'd them, but continu'd perfecting the Work. And for a farther Security to them, there was a bargain pretended to be made with the University of Oxford, and a Receipt of a Thousand Pounds given and acknowledg'd to be in part for them, that if the Usurper had found them out, the University should claim them, who had Greater Power to struggle for them than a private man. All these Shifts have been made, and Difficulties encounter'd to Keep the Collection from being embezell'd and destroy'd; which with the great Charges of collecting and binding them, cost the Undertaker so much, that he refused Four Thousand Pounds for them in his Life time, supposing that Sum not sufficient to re-imburse him."

ceedings for the consideration of the nation through the medium of the press.

The publication of Parliamentary debates was an immense concession towards popular liberty, since it was an admission that the people had a right to know and to canvass the conduct of their representatives. This virtual admission produced a host of pamphlets and Newspapers; and, as the contest between the Throne and the Parliament became more fierce, both sides, as we have already said, called in the aid of the press, and by its means appealed to the nation for support. Men of all ranks were now asked to do what had been before forbidden: they were asked to read controversial writings, in which the political points at issue between Royalists and Roundheads were canvassed, and Newspapers multiplied; the most popular title for such publications being *MERCURY*. This name was used, as we have seen, in one of Butter's Newspapers; and now that English politics were no longer forbidden, *Mercurius Britannicus* rose from the imprint of the *Weekly News* to be the heading of a popular journal. There would seem to have been either a lamentable want of originality or a very great affection for the word *Mercurius*, for we find it used by both parties, and with various additions, some of them curious enough:—*Mercurius Fumigosus*, *Mercurius Veridicus*, *Mercurius Pragmaticus*, *Mercurius Politicus*, *Mercurius Rusticus*, *Mercurius Aulicus*, are amongst the Newspaper titles of this period; and when one of these became successful, other journalists seem at times to have appropriated the fortunate cognomen without hesitation. Each army is said to have had a printing press in its baggage

train, and the belligerents used lead in types with almost as much zeal as they employed it in bullets—firing pamphlets when not employed in firing cannon-shot.*

* One natural effect of the introduction of News-books and Newspapers, and cheap volumes on various subjects, was to complete a work of destruction which the suppression of religious houses had begun. The manuscripts which had been stored up for generations were now regarded as little more than waste parchment. This havoc has been thus described in Aubrey's History of Wiltshire:—"The fashion then was to save the ferules of their books with a false cover of parchment *scilicet* old manuscript, which I was too young to understand; but I was pleased with the elegance of the writing, and the coloured initial letters. I remember the rector here, Mr. William Stump, great-grandson of the clothier of Malmsbury, had several manuscripts of the Abbey. He was a proper man, and a good fellow, and when he brewed a barrel of special ale, his use was to stop the bung-hole under the clay with a sheet of manuscript. He said nothing did it so well, which methought did grieve me then to see. Afterwards, I went to school to Dr. Latimer, at Leigh Delamar, the next parish, where was the like use of covering of books. In my grandfather's days, the manuscripts flew about like butterflies: all music books, account books, copy books, &c., were covered with old manuscripts, as we cover them now with blue paper or marbled paper. And the glovers at Malmsbury made great havoc of them, and gloves were wrapped up no doubt in many good pieces of antiquity. Before the late wars, a world of rare manuscripts perished hereabout; for within half a dozen miles of this place was the Abbey of Malmsbury, where it may be presumed the library was as well furnished with choicest copies as most libraries of England; and perhaps in this library we might have found a correct Pliny's Natural History, which Cauntus, a monk, here did abridge for King Henry the Second. Within the aforesaid compass were Broadstock Priory, Stanley Abbey, Farleigh Abbey, Bath Abbey, eight miles, and Cirencester Abbey, twelve miles. Anno 1638, I was transplanted to Blandford school, in Dorset, to Mr. William Sutton. Here also was the use of covering of books with old parchments, leases, &c.; but I never saw anything of a manuscript there. Hereabout were no abbeyes or convents for men. One may also perceive by the binding of old books how the old manuscripts went to wreck in those days. About 1647, I went to Parson Stump, out of curiosity to see his manuscripts, whereof I had seen some

Between one and two hundred of these partizan Newspapers, which appeared after the meeting of the Long Parliament and before the Restoration, may yet be seen. Their contents show how unscrupulously their editors attacked all opponents. The writers were men originally in various ranks of life, who had been drawn to the task by the requirements of the times, and some of them cut so prominent a figure that their names became public property, and their lives found a chronicler in Anthony Wood. One of these was Marchamont Nedham, who took up a pen for the double purpose of helping the popular cause, and making Newspaper writing a source of income. He plied his self-imposed task most industriously for several years; but the changes of those perilous times appear to have thrown him into the power of the Royalist party, and, probably to save his neck, he wrote for a while in favour of those who held him in duress. When opportunity served, however, he returned to his original camp, and wrought constantly and faithfully for the Commonwealth, until the Restoration, when his pen was soon relinquished for the pestle and mortar. The change in his politics, however, though but for a season, has been regarded as sufficient to condemn him to something very like infamy, though such changes were sufficiently common amongst politicians, divines, and soldiers, in the times when Nedham lived. The facts handed down to us about this early and prolific Newspaper writer were

in my childhood; but by that time they were lost and disperst. His sons were gunners and soldiers, and scoured their guns with them; but he showed me several old deeds granted by the lord abbots, with their seals annexed."

collected by Anthony Wood, whilst Nedham's name was yet fresh in the public mind; and, not forgetting the strong political bias of the biographer, we may glean from his descriptions a more favourable account of this scribe than the author of the *Athenæ Oxoniensis* would have us entertain. Nedham was born at Burford in Oxfordshire, in 1620, and was sent for education to Oxford, where he took a degree. His subsequent career is thus sketched by his political opponent:—

At length, being invited to London, he had conferred upon him an usher's place in Merchant Taylors' School, but how long he continued there I cannot justly tell. Sure it is that, upon the change of the times, he became an under clerk in Grey's Inn, where, by virtue of a good legible court hand, he obtained a comfortable subsistence. Soon after, siding with the rout and scorn of the people, he made them weekly sport by railing at all that is noble in his intelligence called *Mereurius Britannicus*, wherein his endeavours were to sacrifice the fame of some lord or person of quality, nay of the King himself, to the beast with many heads. Diego writeth that Barceus meeting with the Devil sitting at his ease upon a chair bid him rise up and give place to his betters. The tale was moralized in *Britannicus*, who might very well have challenged the preedeneys of Satan, to have thrust him out of his chair, the seat of the scornful; where he sate several years, and outrailed all the *Shimeis* and *Rabsekebs*, and out-railed all the *Simmiasses* and *Pseudolusses* that ever sate in that chair. So that this Nedham being become popular, and an active man in person among the rout, he was commonly called Captain Nedham of Grey's Inn, and what he said or wrote was looked upon as gospel. About that time he studied physie: followed the chemical way; and, by 1645, began to practice it, and by that and his writing maintained himself in very genteel fashion. But so it was, that either by his imprisonment in the Gate-house for a libel on His Majesty, in the opening or explaining his cabinet letters, an. 1645, or for some

seorn or affronts put upon him, he forthwith left the blessed cause, and obtaining the favour of a known Royalist to introduce him into His Majesty's presenee at Hampton Court, an. 1647, he then and there knelt before him, and desired forgiveness for what he had written against him and his cause, which being readily granted, he kissed His Majesty's hand, and soon after wrote *Mereurius Pragmaticus*, which being very witty, satirical against the Presbyterians, and full of loyalty, made him known to, and admired by the bravadoes and wits of those times. But he, being narrowly sought after, left London, and for a time skulked at Minster Lovel, near Binford in Oxfordshire, in the house of Doetor Peter Heylin. At length being found out, imprisoned in Newgate, and brought into danger of his life, Lenthall, the Speaker of the House of Commons, who knew him and his relations well, and John Bradshaw, President of the High Court of Justice, treated him fairly, and not only got his pardon, but, with promise of rewards and places, persuaded him to change his style once more, meaning for the Independents then carrying all before them. So that being brought over, he wrote *Mereurius Politicus*, so extreme contrary to the former, that the generality for a long time, especially the most generous Royalists, could not believe that that intelligence could possibly be written by the same hand that wrote the *M. Pragmaticus*. The truth is, these last were written for about an year and an half, and were endeavoured by the Parliamenteers to be stifled; but the former, (*the Politiei*;) which came out by authority, and flew every week into all parts of the nation for ten years, had very great influence upon numbers of inconsiderable persons, such who have a strange presumption that all must needs be true that is in print. He was then the Goliath of the Philistines—the great champion of the late usurper, whose pen in comparison of others was like a weaver's beam.

After some further fierce abuse of the tone adopted by Nedham in his political writings, Wood thus continues his description of that writer's career:—

In the year 1660, he being conscious to himself that he might be in danger of the halter once more, skulked, (some say

fled into Holland,) till such time as he could get his pardon, or that the act of oblivion should pass. In the mean time were not wanting some forward Loyalists to complain of and write against him. But notwithstanding all verbal and printed complaints, he, for money given to an hungry courtier,* obtained his pardon under the great seal, which was his defence oftentimes, particularly at Oxford act in 1661, when these several acts upon him in St. Mary's Church to hale him before a justice, and so to prison for treason; so that I say, being free, and at liberty by reason of that seal, which he several times produced, he exercised the faculty of physie to his dying day among the brethren, which was a considerable benefit to him. He was a person endowed with quick natural parts, was a good humanitian, poet, and boon droll, and had he been constant to his cavaliering principles he would have been beloved by, and admired of all; but being mercenary, and valuing money and sordid interest, rather than conscience, friendship, or love to his prince, was much hated by the Royal party to his last, and many cannot yet endure to hear him spoken of.

Among other works published by Nedham, was *Mercurius Britannicus*, communicating the Affairs of Great Britain for the better Information of the People. These *Mercuries* began about the middle of August 1643, and were carried on thence, week by week every Monday, in one sheet, to the latter end of 1646 or beginning of 1647.

Mercurius Pragmaticus, communicating Intelligence from all Parts, touching all Affairs, Designs, Humours and Conditions throughout the Kingdom, especially from Westminster and the Head-quarters. There were two parts of them, and they came out weekly in one sheet in quarto. The former part commenced the 14th September, 1647, and ended the 9th of January, 1648. The other which was entitled *Mercurius Pragmaticus*, for King Charles the Second, and commenced the 24th April, 1649, but quickly ended. There were now and then other *Pragmatici* that peeped forth, but they were counterfeit.

* 1659, Aug. 15. Resolved that Marchamont Nedham, gentleman, be, and is hereby, restored to be writer of the *Publick Intelligence*, as formerly. *Journals of the House of Commons*, Vol. VII., p. 758, COLE.

Mercurius Politicus. Comprising the Sum of Foreign Intelligence, with the Affairs now on foot in the three Nations of England, Scotland, and Ireland.

In speaking of Nedham's Mercury, Anthony Wood gives some information about other Newspapers that appeared at the same time and soon afterwards. These statements, it should be borne in mind, come from a cotemporary authority. He says :—

These Mercuries came out weekly, every Wednesday, in two sheets quarto, commencing 9th June, 1649, and ending 6th of June, 1650. At which time, being Thursday, Nedham began again with number 1, from Thursday, June 6 to Thursday, June 13, 1650. Beginning—"Why should not the Commonwealth have a fool as well as the King had his?" * * * * * The *Mercurii Politici* (wherein were many discourses against Monarchy, and in behalf of a free state, especially in those which were before Oliver Cromwell gaped after a supremacy,) were constantly carried on until about the middle of April, 1660, when (as several times before) the author was prohibited by order of the Council of State. By virtue of which order, Henry Muddiman and Giles Dury were authorized to publish their Intelligence under the titles of Parliamentary Intelligence and *Mercurius Publicus*, which continued (Dury soon after giving over) till the middle of August, 1663; and then Roger L'Estrange published the Intelligence twice every week in quarto sheets, under the titles of the Public Intelligence and the News. The first of which came out the 31st August, and the other on the 3rd September, an. 1663. These continued to the 29th January, 1665, at which time L'Estrange desisted, because in November going before, were every other kind of Newspapers published twice every week in half a sheet in folio. These were called The Oxford Gazette, and the first commenced 7th November, 1665, the King and Queen with their Courts being then at Oxon. These for a little time were written, I think, by Henry Muddiman: but when the said courts removed to London, they were entitled and called the London Gazette; the first of which, that

was published there, came forth on the 5th of February following, the King being then at Whitehall. Soon after, Mr. Joseph Williamson, Under-secretary of State, procured the writing of them for himself; and thereupon employed Charles Perrot, M.A., and fellow of Oriel College, Oxon, who had a good command of his pen, to do that office under him, and so he did, though not constantly, to about 1671. After which time they were constantly written by under-secretaries belonging to those that are principal, and do continue so to this day.

The Public Intelligencer communicating the chief occurrences and Proceedings within the Dominions of England, Scotland, and Ireland, &c., came out weekly, every Monday, but contained mostly the same matter that was in the *Politici*.*

The animus of this sketch of Nedham and his writings is too apparent to mislead an impartial reader. The damage that his pen had done to the Royal cause explains the feeling manifested against him by a biographer, who, being a Royalist, wrote when monarchy was again in the ascendant. The great bulk of Nedham's writings were in aid of the popular cause, and those who cried out so loudly about his unprincipled, though temporary, service on the opposite side, offer us no evidence to show that his pen was not taken up upon compulsion. Yet the acrimony of Wood pursues its victim even beyond the grave, as we see in the following last notice:—

At length this most seditious, mutable, and railing author, Marchamont Nedham died suddenly in the house of one Kidder, in D'Euvreux-Court, near Temple-bar, London, in 1678, and was buried on the 29th November, (being the Vigil of St. Andrew,) at the upper end of the body of the church of St. Clement Danes near the entrance into the chancel. Soon after, that church being pulled down and rebuilt, and the letters on his grave taken away and defaced, you shall have in their place this

* Wood's *Athenæ Oxoniensis*, Vol. III., p. 1180.

epitaph, made on him an. 1647, printed at the end of *Mereurius Britannicus*, his welcome to Hell :—

Here lies Britannicus, Hell's barking cur,
That son of Beliel, who kept damned stir :
And every Maiday spent his stoek of spleen
In venomous railing on the King and Queen,
Who tho' they both in goodness may forgive him,
Yet (for his safety) we'll in Hell receive him.*

The pen that abuses Nedham might be expected to praise those who were his political opponents, and, accordingly, we find the writers on the Royal side treated with much more lenity, though they seem to have been little more respectable than the scribes of the Parliamentary cause. John Birkenhead, the chief antagonist of *Mercurius Britannicus*, is thus delineated by Wood:—

John Birkenhead was the son of Randall Birkenhead of Northwyeh in Cheshire, saddler, was born there, became a serviter of Oriell College under the tuition of Humphrey Lloyd, (afterwards Bishop of Bangor,) in the beginning of the year 1632. aged 17 years, where continuing until he was Bachelor of Arts became amanuensis to Dr. Laud, Archbishop of Canterbury, who, taking a liking to him for his ingenuity, did, by his diploma, make him Master of Arts in 1639, and, by his letters commendatory thereupon, he was elected probationer-fellow of All Souls' College in the year following. After the Rebellion broke out, and the King and his Court had settled themselves at Oxford. this our author Mr. Birkenhead was appointed to write the *Mereurius Aulicus*; which, being very pleasing to the loyal party, His Majesty recommended him to the electors, that they would choose him Moral Philosophy Reader; which being accordingly done, he continued in that office, with little profit from it, till 1648, at which time he was not only turned out thence, but from his fellowship by “the Presbyterian visitors.” Afterwards

* Wood's *Athenæ Oxoniensis*, Vol. III., p. 1819.

he retired to London, suffered several imprisonments for His Majesty's cause, lived by his wits, at helping young gentlemen out at dead lifts in making poems, songs, and epistles on and to their respective mistresses, as also in translating and writing several little things and other petite employments. After His Majesty's Restoration he was, by virtue of his letters sent to the University, actually created Doctor of the Civil Law, and, in 1661, he was elected a burgess for Wilton to serve in that Parliament which began at Westminster on the 8th of May the same year. In 1662, Nov. 14, he received the honour of knighthood from His Majesty; and, in 1663, he was constituted one of the Masters of Requests, (in the place of Sir Rich. Fanshaw, when he went ambassador into Spain,) he being then, also, Master of the Faculties, and a Member of the Royal Society. A certain anonymous tells us that this Sir John Birkenhead was a poor alehouse keeper's son, and that he got by lying (or buffooning) at Court, to be one of the Masters of Requests and Faculty Office, and in boons at court £3000. The truth is, had he not been given too much to bantering, which is now taken up by vain and idle people, he might have passed for a good wit; and had he also expressed himself grateful and respectful to those that had been his benefactors in the time of his necessity, which he did not, but rather slighted them (showing thereby the bareness of his spirit) he might have passed for a friend and a loving companion. He hath written:—

Mercurius Aulicus, Communicating the Intelligence and Affairs of the Court (at Oxon) to the rest of the Kingdom. The first of these was published on the 11th of Jan. 1642, and were carried on till about the end of 1645, after which time they were published but now and then. They were printed weekly in one sheet, and sometimes in more, in quarto, and contained a great deal of wit and buffoonery, * * * All that were then in Oxford knew well enough that John Birkenhead began and carried them on, and in his absence P. Heylin supplied his place, and wrote many of them.*

The different fate of the men who espoused the

* Wood's *Athenæ Oxoniensis*, Vol. III., p. 1203.

royal and the popular cause is made manifest in the pages of Anthony Wood. Birkenhead was knighted, made a doctor of laws by royal command, was elected a member of Parliament, and obtained lucrative appointments under the Crown. Nedham, in his old age, had to work as a practitioner of the healing art for his bread. When Birkenhead died, no scurrilous epitaphs were suggested for his tomb, though in scurrility he certainly equals his less-favoured opponent. "Sir John Birkenhead," says Wood, "died within the precincts of Whitehall, on the 4th of December, or thereabouts, in 1679, and was buried on the 6th day of the same month, near to the school door in the churchyard of St. Martin-in-the-Fields, in the city of Westminster; leaving then behind him a choice collection of pamphlets, which came into the hands of his executors, Sir Richard Mason and Sir Muddiford Bramston."

The other chief writer in the Court paper was less fortunate than Birkenhead, so far as worldly rewards went :—

Peter Heylin, the coadjutor of John Birkenhead, was born at Pentric-Heylin in Montgomeryshire, 29th November, 1599, and died at Westminster, 1662. He was a staunch Royalist, and suffered much in the cause, but would seem not to have been well rewarded at the Restoration; for, in 1660, upon His Majesty's return to these kingdoms, he was restored to his spiritualities, but never rose higher than Sub-dean of Westminster, which was a wonder to many, and a great discontent to him and his; but the reason being manifest to those that well knew the temper of the person, I shall forbear to make mention of that matter any further. He was a person endowed with singular gifts, of a sharp and pregnant wit, solid and clear judgment. In his younger days he was accounted an excellent

poet, but very pragmatical; in his elder, a better historian, a noted preacher, and a ready and extemporaneous speaker. He was a bold and undaunted man among his friends and foes (though of very mean port and presence); he was accounted too high and proud for the function he professed.

In 1642, leaving his prebend of Westminster, and his rectories in Hampshire, upon a foresight of ruin to come, he followed the King to Oxon, where, having little to live upon, did, by the King's command, write the weekly intelligence called *Mercurius Aulicus*, which had been begun by John Birkenhead, who pleased the generality of his readers with his waggeries and buffooneries far more than Heylin.*

Heylin seems to have been profound, clever, and proud, whilst Birkenhead was talented, unscrupulous, and amusing. The difference in the amount of their rewards for Court service is easily understood, when we remember that Charles the Second was the Monarch at whose hand they sought payment—a King who liked amusement far better than duty, and who used a restored sceptre for little else than to compel the means of an enlarged profligacy.

Another Newspaper writer was obtained from the Church in the person of Bruno Ryves, who, during the Civil Wars, wrote the *Mercurius Rusticus*. He supported the Royal cause, and thus subsequently earned preferment for himself and children in the Church.

Bruno Ryves was born in Dorsetshire, made one of the clerks of New College in 1610, where continuing till he was Bachelor of Arts, became one of the chaplains of Magdalene College in 1616. Soon after he proceeded in arts, became a most noted and florid preacher, vicar of Stanwell in Middlesex, rector of St. Martin's-de-le-Vintry in London, chaplain to His

* Wood's *Athenæ Oxoniensis*, Vol. III., p. 556.

Majesty Charles the First, and, in 1639, proceeded to the degree of doctor of divinity; but the Rebellion breaking out soon after, he was sequestered of his rectory by the Presbyterians, plundered and forced to fly, and at length losing his vicaridge, he shifted from place to place, and, by the favour of His Majesty, had the deanery of Chichester and the mastership of the hospital there conferred upon him, though little or no profit accrued thence till after the Restoration of King Charles the Second. About which time, being sworn chaplain in ordinary to him, had the deanery of Windsor conferred on him, in which he was installed 3rd September, 1660, and so consequently was dean of Wolverhampton in Staffordshire. Afterwards he became rector of Acton in Middlesex, was sworn Scribe of the Most Noble Order of the Garter, 14th January, 1660, and about that time was made rector of Horsley, near to and in the county of Oxford, which I think is annexed to his deanery, as the deanery of Wolverhampton is, but all separated by Mr. Baxter, thereby to make him a great pluralist, without any consideration had to his great sufferings occasioned by the Presbyterians. He hath written:—

Mercurius Rusticus: or, *The Countrie's Complaint*, recounting the sad Events of this lamentable War. Which *Mercurius* in number at least 19, commencing from 22 Aug. 1642, came out in one sheet, sometimes in two in quarto.

Mercurius Rusticus. The second Part in Number 5 giving an account of the Sacrileges in, and upon, several Cathedrals.*

Ryves lived to see one of his sons a dean, and the other “an eminent divine in the Church.” This Newspaper writer died in 1677; the *Mercurius Rusticus* was afterwards reprinted.

One more portrait of a writer of *Mercuries* may be quoted from the pages of the Royalist chronieler; but it will be seen that, as the original aided the Presbyterians with his pen, Anthony Wood cannot

* Wood's *Athenæ Oxoniensis*, Vol. III., p. 1110.

bring himself to speak favourably of him. George Wither may be called the satirical rhymster of the Revolutionary era, whilst Milton was its great poet. Wither belonged to a good family in Hampshire; was educated at Magdalene College, and afterwards entered as a student in the legal region of Lincoln's Inn. But the dry law was forsaken for more pleasant occupations.

His geny hanging after things more smooth and delightful, he did at length make himself known to the world (after he had taken several rambles therein) by certain specimens of poetry; which being dispersed in several hands, became shortly after a public author, and much admired by some in that age for his quick advancement in that faculty. But so it was that he shewed himself too quick and satirical in his "Abuses stript and whipt," was committed prisoner to the Marshalsea; where, continuing several months, was then more eried up, especially by the Puritanical party, for his profuse pouring forth of English rhyme, and more afterwards by the vulgar sort of people for his prophetic poetry, in regard that many things were fancied by them to come to pass which he pretended to predict. In 1639 he was a captain of horse in an expedition against the Scots, and quartermaster-general of the regiment wherein he was captain, viz., of that regiment of, or next under, the earl of Arundel, general of the forces in the said expedition. But this our author, who was always from his youth Puritannically affected (sufficiently evidenced in his satires), sided with the Presbyterians in the beginning of the civil wars raised by them, an. 1642, became an enemy to the King and regality, sold the estate he had, and, with the moneys received from it, raised a troop of horse for the Parliament, was made a captain, and soon after a major, having this motto on his colours, "Pro Rege, Lege, Grege;" but being taken prisoner by the cavaliers, Sir Jo. Denham, the poet, (some of whose land at Egham, in Surrey, Wither had got into his clutches,) desired His Majesty not to hang him, "because that so long as Wither lived Denham would not be accounted the worst poet in England." About that time he was consti-

tuted by the said Long Parliament a justice of peace in quorum for Hampshire, Surrey, and Essex (which office he kept 16 years), and afterwards was made by Oliver major-general of all the horse and foot in the county of Surrey, in which employment he licked his fingers sufficiently, gaining thereby a great odium from the generous Royalists. After the King's Restoration in 1660, he lost all the lands that had belonged to Royalists and bishops, which he before had either bought or had conferred upon him for the love and zeal he had to the blessed cause. And being then looked upon as a dangerous person to the King and State, especially for a scandalous and seditious libel he had then dispersed, was committed prisoner to Newgate, and afterwards, upon his own confession, and the oaths of two persons that he was the author of it, he, by order of the House of Commons, was sent in custody and committed close prisoner to the Tower of London, to be debarred from ink and paper, and about the same time (24 March, 166 $\frac{1}{2}$) an impeachment was ordered to be drawn up against him. In both which prisons he continued three years and more, wrote several things by the connivance of the keeper, of which some were afterwards made public, yet could never refrain from shewing himself a Presbyterian satirist. * * * The things that he hath written and published are very many, accounted by the generality of scholars mere scribbles, and the fancies of a conceited and confident, if not enthusiastical, mind. Among them was—

Mereurius Rusticus; printed 1643. This was written in imitation of the *Weekly Intelligencer* then published, offering, between jest and earnest, some particulars to consideration, relating both to civil and military transactions, and hinting notions then pertinent to those times, &c. The beginning of this *Mereurius Rusticus* (to distinguish *Mereurius Rusticus* written by Dr. Ryves) is this:—"By your leave, gentlemen, when seriousness takes not effect, perhaps trifling may," &c.*

At length, after this, our author had lived to the age of 79 years, mostly spent in a rambling unsettled condition, concluded his life on the second day of May, 1667; whereupon his body was buried between the east door and south end of the

* Wood's *Athenæ Oxoniensis*, Vol. III., p. 767.

church (which stands north and south) belonging to the Savoy hospital in the Strand, near London.*

“He would,” says Aubrey, “make verses as fast as he could write them, and though he was an easie rhymmer and no good poet, he was a good vates. He had a strange sagacity and foresight into mundane affairs. He was an early observer of quicquid agunt homines; his wit was satyrical.”

In the paper war which these first Newspaper writers waged with each other, though they had lofty topics for discussion, and discussed them, yet at other times they descended to low trivialities and gross personal abuse. Thus, in the Papers of 1642, we find the *Britannicus*,† the *Aulicus*,‡ and a friend of the latter the *Aquaticus*, indulging in a contest of this kind. The following passage is from the 18th Number of the *Britannicus*:—

Though I thought it beneath my pen to dip into the lies, and follies, and calunnies of such an Oxford pamphlet, (the *Mercurius Aulicus*,) yet because I was informed it was not the work of one but many; viz., Deckenhead the scribe, Secretary Nicholas the informer, George Digly the contriver, and an assesment of wits is laid on every college, and paid weekly for the continuation of this thing called *Mercurius Aulicus*;—upon these considerations, and to vindicate the honour of a Parliament, I tooke my pen, I have discovered the lies, forgeries, insolencies, impieties, prophanations, blasphemies, Popery of the two sheets, and now I have done; and you, most excellent Senates, (this is addressed to the Parliament,) that you may see how justly I have replied, and how unjustly ye are calumniated,

* Wood's *Athenæ Oxoniensis*, Vol. III., p. 767.

† “*Mercurius Britannicus*, communicating the Affairs of Great Britain for the better information of the people. 1642.”

‡ “*A Diurnall*, communicating the Affairs and Intelligence of the Court to the Rest of the Kingdom. Oxford, Printed by H. Hall for W. Webb, Anno Dom., 1642.”

I have summed up his last abused, printed at Oxford, formerly an university, now a garrison of Popery, His Majesty's own Royall Court for the recreation of their nobility and gentry, and clergy, and other leige people.

Then follows "A Catalogue of the Abuses, Reproaches, and Calumnies against the present Parliament, this last week in the first sheet."

The nature of the collection of epithets may be well imagined. One of the "wits," for whom an assesment was stated to be laid on every college, accordingly replied without loss of time in a succeeding publication.* The wit of the colleges would appear to lie in parody, to judge from the answer in question.

Though I thought it beneath my pen to dip into the lies, follies, and calumnies of such a foolish London pamphlet, yet because I was informed that it was not the act of one, but many, which for a while made me think that this monster piece of vanity was the abortive issue of Mr. Saltmarsh the scribe, until I remembered that he had spent more than all his own wit upon his Epigrammarasacra: the Close-Community, the Informer, till I considered that it stood not with the policy of their state, that they should inform any but the Close Committee of the Common Counsell, that should inform Captain Ven, that should inform the Prentices and Butchers when 't was fit to make a tumult at Whitehall, and the Brownists when at Westminster, and also the Woemen and Schoolboys to petition against evil counsellors; Tom May, the contriver and chief engineer, (but that I thought he was better at translation than invention,) and especially because I heard an assesment of wit was laid upon the Synod, and every lecturer and private conventieler, from Mr. Marshall at Margaret's to Green the felt-maker in

* "*Mercurius Aquaticus*," or the Water Poet's Answer to all that hath or shall be (!) writ by Mercurius Britannicus. Printed at the Waine of the Moone. Page 121, and Number 16 of *Mercurius Britannicus*. 1643.

the tub, and paid weekly for the continuation of this thing called *Mercurius Britannicus*,—upon these considerations, and not to vindicate Aulicus, who is only unhappy, in that he must weekly write to their capacity, who have not more brains than *Britannicus*, I take up my pen.”

The writer then goes on to catalogue the abuses and reproaches levelled against the Court, as in the other case ; but his list need not be repeated, for it is dull and spiteful, and we have had specimens enough of the Newspaper writing of that time to show its manner and temper when it descended to personality.

The title *Mercurius* was not limited to papers of News. Thus we find in the Museum Collection “The Marine Mercury, or a true relation of the strange appearance of a Man Fish about three miles within the river Thames, having a musket in one hand and a petition in the other, credibly reported by six sailors, who both saw and talked with the monster, whose names here following are inserted. To which is added a relation of how Sir Simon Heartly with his company gave battle to a company of rebels and slew 500, took four colours, and routed 1500 more, this being performed on the 6th of January, 1641, &c. Printed in the year 1642.”

According to the monster's own account of himself, he came on a friendly errand, and the paper he held in his hand contained an account of the plots of foreign princes against the country. He also offered his assistance as a courier to collect News, for which he was well adapted, seeing that his steeds were the rapid monsters of the deep, “that Barbary, Roebuck, and Hart were but mere dromedaries to that he rode on, and that within half an hour he could be in the

remotest parts of the ocean for the discovery of the most intricate designs that were in agitation."

There exists an old play, printed in the year 1641, called "*Mercurius Britannicus, or the English Intelligencer; A Tragic-Comedy at Paris, acted with great applause.*" The subject of the play is political, and refers to the extra-judicial opinions of the judges in the case of Ship money.

The friends of Royalty published a *Mercurius Poeticus*,* in which the King's cause is advocated and the Parliament abused in good set terms, if not in the best verse. The "poem" concludes thus:—

Great Charles, be pacified, for now
Thou'lt see rebellion fall,
Thy traitorous subjects must allow
Thee King, or perish all.

With a morsel of "foreign News" from a journal† of the year 1642, these extracts and the present chapter may close:—

Leipsie, 30th June. The Swedes play master everywhere, they have taken Brunne, Zagerdorf and Ratibore, they have commanded some thousands towards Bing, and 4000 horsemen towards the drawbridge of Vienna. At Zitlin in the Marquisate of Bradenburgh was seen at Noon-day a black cloud, in it

* *Mercurius Poeticus*, discovering the Treasons of a thing called Parliament, also giving perfect intelligence of all the most remarkable undertakings from the Kingdom of Scotland, Pembroke Castle, and other parts now in a military posture, for the restoration of His Majesty and the laws of the Kingdom. No. 1. From Friday May 5, to Friday May 13, 1648.

† An exeut Coranto from most parts of Christendom from July 3, to this present, viz., from Cullen, Leipsich, Newherne, Aldenburg, Bohemia, Vienna, Prague, Collen, (Cologne,) Hamburg. London, printed by L. N. and J. F., for E. Husbands, and J. Frank.

two fighting swords, and out of it rained much blood, and fiery skulls fell out of it to the ground, and so consumed.

This morsel of the marvellous, prepared for the appetite of News-readers two centuries ago, is doubtless the great progenitor of that famous paragraph which, from time to time, runs the round of the Newspapers in this our nineteenth century, headed—“A Shower of Frogs.”

CHAPTER IV.

THE PRESS OF THE COMMONWEALTH, THE RESTORATION, AND THE REVOLUTION.

“ This is true liberty, when free-born men,
Having to advise the public, may speak free,
Which he who can, and will, deserves high praise ;
Who neither can, nor will, may hold his peace :
What can be juster in a state than this ?”

EURIP. *Hicetid. in Arcopagitica.*

Bacon and Sir Lionel Cranfield.—The Long Parliament and the Press.—Ordinances.—Milton’s Plea for Unlicensed Printing.—The Restoration shackles the Press.—Trial and Fate of Twyn.—L’Estrange the Censor and Editor.—The London Gazette appears.—The Revolution of 1688.

BACON, after he was sentenced in Parliament, met Sir Lionel Cranfield, whom King James had then just made Lord Treasurer. The disgraced philosopher, having first congratulated the newly-appointed dignitary on his advancement to so eminent a place of honour and trust, says Petyt,* told him, between jest and earnest, that he would recommend to his Lordship, and in him to all other great officers of the Crown, one considerable rule, to be carefully observed, which was, to *Remember a Parliament will come.*

Was this only a friendly warning to the newly-installed minister to avoid the shoals of corruption

* *Miscellanea Parliamentaria.* Lond., 1680. Preface.

upon which his own bark had been wrecked? Or did the author of the *Organon* see into the future, when the people should seize the reigns of power, to correct abuses which kings refused to reform? Certain it is, that the prophetic words of the disgraced philosopher gained strange significance by the progress of subsequent events.

A Parliament *did* come, and it gave the nation an account of its stewardship; but though it continued to state its affairs openly so long as it had power, yet it betrayed at times a morbid sensibility when its conduct was attacked. Hence a number of ordinances for the regulation of printers and printing, and for the control of the issue of the very reports which this Parliament was the first to permit.

A Committee of the House of Commons had been appointed, in February, 1640, "to consider and examine all abuses of printing, licensing, importing, and suppressing books of all sorts;" and, in the May of the following year, a committee was named to consider the printing of speeches.* This was only the commencement of a series of steps on the subject, which had in view the suppression of such publications as were thought objectionable. Nor did the members who had the courage to show a bold front to their King, hesitate to act very summarily on any of their own body who gave cause of offence. An instance of this occurred in the case of Sir E. Dering, who, on the 2nd of February, 1641, was expelled from the House of Commons, by a vote of that assembly, for printing his speeches. These publi-

* Journ. Ho. Comm., Vol. II.

cations were also ordered to be burnt by the common hangman in Westminster, Cheapside, and Smithfield. Sir Edward was brought to the bar of the Commons, where he knelt whilst the Speaker pronounced his sentence. He was then ordered into custody, and was imprisoned in the Tower, but was discharged a few days afterwards.

It was thus shown that, whilst the Parliament were willing enough to admit the general right of the people to printed information of public affairs, they were yet ready enough to exercise the power in their hands, as such power had customarily been used, for the purpose of crushing the manifestation of any spirit regarded as especially dangerous to their authority. Still the press went on enlarging the field of its power and extending its influence. The Newspapers from time to time gave bold utterance to popular thoughts, and had a strong tendency to tell unpalatable truths. The increase of this temper, by the middle of the succeeding year, gave rise to another order of the House of Commons, dated June 14, 1642, "for preventing the printing and publishing of any scandalous or libellous pamphlets that may reflect upon the King or the Kingdom, the Parliament or Scotland, and for suppressing of such as have already been printed." The Diurnals that first told of Parliamentary doings appeared with an imprint, simply giving the names of those who printed and offered the sheets to the public. It was apparently an open trade for those who chose to embark in it; but these orders upon the subject of printing soon effected a change in this, and we begin to find "authorities" appended to various publications. Thus, in this same

year, 1642, the Commons ordered the speech of Mr. Hollis, on impeaching the nine Lords at York, to be printed by some one appointed by him; and we see in the title of the pamphlet the formal words, "I appoint that none shall print this but Thomas Underhill, Denzil Hollis." The "True Diurnal" of Parliamentary proceedings also displays the signature "Io. Browne, Cler. Parliamentor." But types and presses had been unshackled, and they increased; and now it became day by day more difficult, amid the struggle of parties, to prevent the printing of what the belligerents were anxious the people should see and consider. The special wrath of the Parliament was directed against what they chose to regard as irreligious publications; and we find the men who smarted under the intolerant tyranny of the Star Chamber, when that Court attempted to suppress attacks on Prelacy, inclined to be almost equally intolerant when any writer's productions were thought to be injurious to the Puritan cause. There are bigots in infidelity as well as bigots in faith, and proofs of this tendency to intolerant temper were shown in the Long Parliament. On the 5th of May, 1643, an order of Parliament was made,* "that the book, enjoining and tolerating of Sports upon the Lord's day, be forthwith burnt by the hands of the common hangman in Cheapside and other usual places." The sheriffs of London and Middlesex were to attend and see this order duly executed, and all persons who had any of the denounced books were ordered "to bring them to one of the sheriffs for their utter destruction."

* Parl. Hist., Vol. III., p. 114.

But still on, on went the writers and the printers, and still hotter and hotter became the battle fought through the press. Only a month after the Book of Sports had helped to raise the hangman's fire in Smithfield, and had been burnt for the edification of the prentices of Cheapside, the Parliament was again compelled to resort to an ordinance still more stringent than those which had preceded it. The liberty of the press, says the Parliamentary historian,* "having of late been very greivous," the Commons passed an ordinance to restrain it, and to strengthen some former orders made for that purpose. The preamble to this ordinance sets forth:—

"That whereas divers good orders have been lately made, by both Houses of Parliament, for suppressing the great abuses and frequent disorders in printing many false, forged, scandalous, seditious, libellous, and unlicensed papers, pamphlets, and books to the great defamation of religion and government; which have taken little or no effect, by reason the bill in preparation, for redress of the said disorders, hath hitherto been retarded: and that through the present distractions, very many persons, as well stationers and printers, as others of sundry other professions, have taken upon them to set up private printing presses in corners; and to print, vend, publish, and disperse books, pamphlets and papers, in such multitudes, that no industry could be suffieient to discover or bring to punishment all the several abounding delinquents: therefore," &c. The most material clauses are these:—"That no Order or Declaration of either House shall be printed without order of one or both the said Houses; nor any other book, pamphlet, paper, nor part of any such book, pamphlet, or paper, shall from henceforth be printed, bound, stitshed, or put out to sale, by any person or persons whatsoever, unless the same be first approved and licensed under the hands of such persons as both, or either, of the said

* Parl. Hist., Vol. III., p. 131.

Houses shall appoint for licensing of the same, and be entered in the Register Book of the Company of Stationers, according to ancient custom, and the printer thereof to put his name thereto. The master and wardens of the said Company, the gentleman-usher of the House of Peers, the serjeant of the Commons House, and their deputies, together with the persons formerly appointed by the committee of the House of Commons for examinations, are authorized and required to make diligent search in all places, where they shall think meet, for all unlicensed printing presses, and all presses any way employed in the printing of scandalous or unlicensed papers, pamphlets, or books; and to seize and carry away such printing presses, letters, and other materials, of every such irregular printer, which they find so misemployed, unto the common-hall of the said Company, there to be defaced and made unserviceable, according to ancient custom; and likewise to make diligent search in all suspected printing-houses, ware-houses, shops, and other places, for such scandalous and unlicensed books, papers, pamphlets, and all other books, not entered nor signed with the printer's name as aforesaid, being printed contrary to this Order; and the same to seize and carry away to the said common-hall, there to remain till both or either House of Parliament shall dispose thereof; and likewise to apprehend all authors, printers, and other persons whatsoever employed in compiling, printing, stitching, binding, publishing and dispersing of the said scandalous, unlicensed, and unwarrantable papers, books, and pamphlets as aforesaid; and all those who shall resist the said parties in searching after them, and bringing them before either of the Houses or Committee of Examinations, that so they may receive such further punishments as their offence shall merit; and not to be released until they have given satisfaction to the parties employed in their apprehension for their pains and charges, and sufficient caution not to offend in like sort for the future. All justices of the peace, captains, constables, and other officers, are ordered and required to be aiding and assisting to the aforesaid persons in the due execution of all and singular the premises, and in the apprehension of all offenders against the same; and in case of opposition, to break open doors and locks, &c."

This order recoiled on those who made it, for, whilst it fettered them, their adversaries set it at naught, and continued the war of unlicensed words as zealously as ever. The Diurnal bore the stamp of authority,* but other papers appeared without it. This effort towards restraint had also another and more memorable result. It called to the contest a mind of the loftiest stamp, whose nobility of intellect had been startled and shocked by the wrong sought to be done to the cause of freedom of thought, by the very men to whom freedom owed so much. A youth of study; two years of opening manhood spent in travel; an acquaintance with Galileo, and others the most eminent of their age; and a love of liberty, ardent as ever displayed itself in the words or deeds of man, made up the mind that now spoke out for the liberty of unlicensed printing. The Parliament threw down the gauntlet, and the poet-patriot Milton took it up.

The *Areopagitica*, a speech for the liberty of unlicensed printing, was the offering of Milton to the cause of the press in those early days, when its very existence was perilled by the wrath of a powerful Parliament. This discourse has long been regarded as the masterpiece of its author in prose composition, and its eloquence must have told upon the mind of the country, if it failed to convince at once the bigotted authors of the parliamentary ordinance.

* "A Perfect Diurnal of some passages of Parliament, and from other parts of the kingdom, from Munday the 11 of September till Munday the 18 of Septemb. Anno 1643."

"This is licensed, and entred into the Register Book of the Company of Stationers according to Order." In 1644 we find the imprint modified thus—"Printed according to Order."

Milton spoke in words worthy of the bard who was afterwards to sing of *Paradise Lost*. He brought classic scholarship, eloquent sentences, and sound logic to the task, and fought the battle for liberty of printed thought with the earnestness and warmth of one who felt strongly impressed with the importance of the cause he sought to establish. He reminded the authorities that their order availed nothing to the suppressing of the publications they sought to destroy, whilst it acted towards "the discouragement of all learning, and the stop of truth, not only by dis-exercising and blunting our abilities in what we know already, but by hindering and cropping the discovery that might be yet further made, both in religious and civil wisdom." He called upon those who would check the printing press to consider well the value of its products. "Books," said he "are not absolutely dead things, but do contain a progeny of life in them to be as active as that soul was whose progeny they are; nay, they do preserve as in a vial the purest efficacy and extraction of that living intellect that bred them. I know they are as lively, and as vigorously productive as those fabulous dragon's teeth; and being sown up and down, may chance to spring up armed men. And yet, on the other hand, unless wariness be used, as good almost kill a man as kill a good book: who kills a man kills a reasonable creature, God's image; but he who destroys a good book, kills reason itself, kills the image of God, as it were, in the eye. Many a man lives a burden to the earth; but a good book is the precious life blood of a master-spirit, embalmed and treasured up on purpose to a life beyond life. It is

true, no age can restore a life, whereof, perhaps, there is no great loss; and revolutions of ages do not oft recover the loss of a rejected truth, for the want of which whole nations fare the worse. We should be wary, therefore, what persecution we raise against the living labours of public men, how we spill that seasoned life of man, preserved and stored up in books; since we see a kind of homicide may be thus committed, sometimes a martyrdom; and if it extend to the whole impression, a kind of massacre, whereof the execution ends not in the slaying of an elemental life, but strikes at the ethereal and fifth essence, the breath of reason itself; slays an immortality rather than a life." Following this fine thought finely wrought out, he gave a rapid but learned historical sketch of what had been done in like circumstances by ancient and famous Commonwealths. When speaking of the early struggles of Christian truth, he ingeniously held up before the Puritan Parliament what had been done by the censors of the Church of Rome, and thus compelled an inference favourable to liberty of the press:—

The primitive councils and bishops were wont only to declare what books were not commendable, passing no further, but leaving it to each one's conscience to read or to lay by, till after the year 800, is observed already by Padre Paolo, the great unmasker of the Trentine council. After which time the Popes of Rome, engrossing what they pleased of political rule into their own hands, extended their dominion over men's eyes, as they had before over their judgments, burning and prohibiting to be read what they fancied not; yet sparing in their censures, and the books not many which they so dealt with; till Martin the Fifth, by his bull, not only prohibited, but was the first that excommunicated the reading of heretical books; for about that time Wickliffe and Husse growing terrible, were they who

first drove the Papal Court to a strieter policy of prohibiting. Which course Leo the Tenth and his successors followed, until the Council of Trent and the Spanish Inquisition, engendering together, brought forth or perfected those catalogues and expurging indexes, that rake through the entrails of many an old good author with a violation worse than any could be offered to his tomb.

Nor did they stay in matters heretical, but any subject that was not to their palate, they either condemned in a prohibition, or had it straight into the new purgatory of an index. To fill up the measure of encroachment, their last invention was to ordain that no book, pamphlet, or paper should be printed (as if St. Peter had bequeathed them the keys of the press also as well as of Paradise) unless it were approved and licensed under the hands of two or three gluttonous friars. For example:—

“Let the chancellor Cini be pleased to see if in this present work be contained aught that may withstand the printing.

“Vincent Rabbata, Vicar of Florence.”

“I have seen this present work, and find nothing athwart the catholic faith and good manners; in witness whereof I have given, &c.

“Nicolo Cini, Chancellor of Florence.”

“Attending the precedent relation, it is allowed that this present work of Davanzata may be printed. “Vincent Rabbata,” &c.

“It may be printed, July 15.

“Friar Simon Mompei d'Amelia, Chancellor of the Holy Office in Florence.”

Sure they have a conceit, if he of the bottomless pit had not long since broke prison, that this quadruple exorcism would but bar him down. I fear their next design will be to get into their custody the licensing of that which they say Claudius intended, but went not through with. Vouchsafe to see another of their forms, the Roman stamp:—

“Imprimatur, If it seem good to the reverend master of the Holy Palace.

“Belcastro, Viceregent.”

“Imprimatur, Friar Nicholo Rodolphi, Master of the Holy Palace.”

Sometimes five imprimaturs are seen together, dialogue-wise, in the piazza of one title page, complimenting and ducking each to other with their shaven referenees, whether the author, who stands by in perplexity at the foot of his epistle, shall to the press or to the sponge. These are the pretty responsories, these are the dear antiphonies, that so bewitched of late our prelates

and their chaplains, with the goodly echo they made; and besotted us to the gay imitation of a lordly imprimatur, one from Lambeth house, another from the west end of Paul's; so apishly Romanizing, that the word of command still was set down in Latin; as if the learned grammatical pen that wrote it would cast no ink without Latin; or perhaps, as they thought, because no vulgar tongue was worthy to express the pure conceit of an imprimatur; but rather, as I hope, for that our English, the language of men ever famous and foremost in the achievements of liberty, will not easily find servile letters enow to spell such a dictatory presumption Englished.

And thus ye have the inventors and the original of book licensing ripped up, and drawn as lineally as any pedigree. We have it not, that can be heard of, from any ancient state, or polity, or church, nor by any statute left us by our ancestors elder or later; nor from the modern custom of any reformed city or church abroad; but from the most anti-Christian council, and the most tyrannous inquisition that ever inquired. Till then books were ever as freely admitted into the world as any other birth; the issue of the brain was no more stifled than the issue of the womb: no envious Juno sat cross-legged over the nativity of any man's intellectual offspring; but if it proved a monster, who denies but that it was justly burnt, or sunk into the sea? But that a book, in worse condition than a peccant soul, should be to stand before a jury ere it be born to the world, and undergo yet in darkness the judgment of Radamanth and his colleagues, ere it can pass the ferry backward into light, was never heard before, till that mysterious iniquity, provoked and troubled at the first entrance of reformation, sought out new limboes and new hells wherein they might include our books also within the number of their damned. And this was the rare morsel so officiously snatched up, and so ill-favouredly imitated by our inquisitorial bishops, and the attendant minorities, their chaplains. That ye like not now these most certain authors of this licensing order, and that all sinister intention was far distant from your thoughts, when ye were importuned the passing it, all men who know the integrity of your actions, and how ye honour truth, will clear ye readily.

Having brought ancient learning and Christian history to bear upon his theme, Milton next turns for scriptural authority to aid him. He reminds the Parliament that "to the pure all things are pure, not only meats and drinks but all kinds of knowledge, whether of good or evil: the knowledge cannot defile, nor consequently the books, if the will and the conscience be not defiled." "What wisdom can there be to choose, what continence to forbear, without the knowledge of evil? He that can apprehend and consider vice with all her baits and seeming pleasures, and yet abstain, and yet distinguish, and yet prefer that which is truly better, he is the true warfaring Christian. I cannot praise a fugitive and cloistered virtue unexercised and unbreathed, that never sallies out and seeks her adversary, but slinks out of the race, where that immortal garland is to be run for, not without dust and heat. Assuredly we bring not innocence into the world, we bring impurity much rather; that which purifies us is trial, and trial is by what is contrary. That virtue, therefore, which is but a youngling in the contemplation of evil, and knows not the utmost that vice promises to her followers, and rejects it, is but a blank virtue, not a pure; her whiteness is but an excremental whiteness."

The impracticability of the attempted suppression of thought was not forgotten:—

"If we think to regulate printing, thereby to rectify manners, we must regulate all recreations and pastimes, all that is delightful to man. No music must be heard, no song be set or sung, but what is grave and doric. There must be licensing dancers,

that no gesture, motion, or deportment be taught our youth, but what by their allowance shall be thought honest; for such Plato was provided of. It will ask more than the work of twenty licensers to examine all the lutes, the violins, and the guitars in every house; they must not be suffered to prattle as they do, but must be licensed what they may say. And who shall silence all the airs and madrigals that whisper softness in chambers? The windows also, and the balconies, must be thought on; these are shrewd books, with dangerous frontispieces, set to sale: who shall prohibit them, shall twenty licensers? The villages also must have their visitors to inquire what lectures the bagpipe and the rebec reads, even to the ballatry and the gamut of every municipal fiddler; for these are the countryman's Arcadias, and his Monte Mayors." He reminds them that the order has been inoperative against Sir John Birkenhead's *Mercurius Aulicus*. "Whatever thing we hear or see, sitting, walking, travelling, or conversing, may be fitly called our book, and is of the same effect that writings are; yet grant the thing to be prohibited were only books, it appears that this order hitherto is far insufficient to the end which it intends. Do we not see, not once or oftener, but weckly, that continued court-libel against the Parliament and city, printed, as the wet sheets can witness, and dispersed among us for all that licensing can do." And then, a few pages further on, we have the fine passage in which he tells what he saw and thought when in Italy:—

"And lest some should persuade ye, Lords and Commons, that these arguments of learned men's dis-

couragement at this your order are mere flourishes, and not real, I could recount what I have seen and heard in other countries, where this kind of inquisition tyrannizes; when I have sat among their learned men, (for that honour I had,) and been counted happy to be born in such a place of philosophic freedom, as they supposed England was, while themselves did nothing but bemoan the servile condition into which learning amongst them was brought; that this was it which had damped the glory of Italian wits—that nothing had been there written now these many years but flattery and fustian. There it was that I found and visited the famous Galileo, grown old, a prisoner to the inquisition, for thinking in astronomy otherwise than the Franciscan and Dominican licensers thought. And though I knew that England then was groaning loudest under the Prelatical yoke, nevertheless I took it as a pledge of future happiness, that other nations were so persuaded of her liberty.”

Milton's exhortation may be said to have been addressed to a nation under arms, and before long their weapons were in more active use than ever. The battle of Naseby hastened the day when the ruler of the sword should be the ruler of the Parliament. As affairs became more perplexed, the press laboured on both sides for an audience and for converts; each party lacking the power, if they had the desire, to stop the tide of publication. It was not till General Fairfax, in defiance of Parliamentary orders, had marched into London, that the writers and printers were again interfered with. The pen was then troublesome to the sword; but the sword was in authority,

and the leader of the troops desired that so dangerous an opponent might be restrained.

On the 21st of September, 1647, a letter from Sir Thomas Fairfax was read to the House. It was addressed to the Speaker of the Lords, and ran thus :—

My Lord—I have enelosed some printed pamphlets, which are not only very scandalous and abusive to this army in particular, but indeed to the whole kingdom in general; my desire is that these, and all of the like nature, may be suppressed for the future: and yet (that the kingdom's expectation may be satisfied, in relation to intelligence, till a firm peace be settled, considering the mischiefs that will happen by the poisonous writings of evil men, sent abroad daily to abuse and deceive the people) that, if the house shall see it fit, some two or three sheets may be permitted to come forth weekly, which may be licensed, and have some stamp of authority with them: And in respect the former licenser, Mr. Mabbot, hath approved himself faithful in that service of licensing, and likewise in the service of the Houses and of this army, I humbly desire that he may be restored and continued in the same place of licenser, &c. Yours, Tho. Fairfax. Putney, Sept. 20.

The Parliament had little free will; and accordingly, on the 30th of September, 1647, both Houses agreed to an ordinance declared to be “for the better regulation of printing.” The following abstract of it is given in the Parliamentary History :—

“The Lords and Commons in Parliament assembled, taking notice of the many seditious, false, and scandalous pamphlets daily printed and published in and about London and Westminster, and thence dispersed into all parts of this realm, and other parts beyond the seas, to the great abuse and prejudice of the people, and unsufferable reproach of the proceedings of the Parliament and their army; for the better suppression thereof and prevention of the like inconveniences for the time to come, do order and ordain :—I. That what person soever shall make, write, print, publish, sell, or utter, any Book, Pamphlet,

Treatise, Ballad, Libel, or Sheet of News, whatsoever, or cause so to be done, except the same be licensed by both or either House of Parliament, or by such persons as shall be thereunto authorized by one or both Houses of Parliament, with the name of the author, printer, and licenser thereunto prefixed, shall, for every such offence, suffer, pay, and incur the punishment, fine, and penalty hereafter mentioned, viz:—The maker, writer, or composer of any such unlicensed Book, &c., shall forfeit and pay 40s., or be imprisoned in the common goal for the county or liberty where the offence is committed, or the offender shall be found, until he shall pay the sum, so that the said imprisonment exceed not 40 days. The printer to pay 20s., and suffer the like imprisonment till he pay the same, the said imprisonment not to exceed 20 days; and likewise to have his press and implements of imprinting seized and broken in pieces. The bookseller or stationer to forfeit and pay 10s., or to be imprisoned in like manner till he pay the same, the imprisonment not exceeding 10 days: and the hawker, pedlar, or ballad-singer to forfeit and lose all his books, pamphlets, or printed papers exposed to sale; and also to be whipped as a common rogue in the liberty or parish where the said offender shall be apprehended, or the offence committed. II. The several and respective Commissioners for the Militia in London, Middlesex, and Surrey, and all Mayors and other head-officers of corporations, and all Justices of the Peace of the several counties, cities, and liberties in England and Wales, and every of them, in their respective liberties and jurisdictions, are hereby authorized and required to put this ordinance in execution; and all constables, head-boroughs, and other officers, are hereby authorized and required to put this ordinance in execution; and, together with such assistance as they shall call unto them, to enter into any shop or house where they shall be informed, or have good cause to suspect, any such unlicensed pamphlets or papers are printed or sold, and to seize the same, and likewise all presses and implements of printing, and to bring them, together with the offenders, before the said Commissioners, Mayors, &c., or any one of them; so that the fines, pains and penalties before-mentioned may be inflicted upon the offenders, according to the intent and

meaning of this ordinance. III. The view of any one Justice of the Peace, head-officer, or Commissioner aforesaid, or the oath of one credible witness, (which oath, in such case, they are hereby authorized to administer,) shall be a sufficient conviction of any offender in the cases before recited; and the same Justices of the Peace, Mayors, &c. have hereby authority to dispose of one moiety of the fines paid by virtue of this ordinance, to the collectors of the poor for the liberty or parish where the offence is committed, and the other moiety to the person who shall discover and prosecute the said offenders. IV. All persons acting anything by virtue of this ordinance shall be indemnified by authority of both Houses of Parliament. Provided always, That the penalties in this ordinance expressed shall not extend to acquit any person that shall make, write, print, publish, or sell, or cause to be so done, any Books, &c., that shall contain any seditious, treasonable, or blasphemous matter; but the offenders in that kind shall be liable to such further penalties as by the laws of this land are provided, or by authority of Parliament shall be adjudged, according to the penalty of such offences."

The desire of the successful General Sir Thomas Fairfax was complied with, and Mabbott became licenser—an ungracious post for a man of honour and probity, and one which Mabbott resigned after a full trial of its troublesome duties.*

* Mabbott thus explained his reasons in a number of the Diurnal:—
I. Because many thousands of scandalous and malignant pamphlets have been published with his name thereunto, as if he had licensed the same, (though he never saw them,) on purpose (as he conceives) to prejudice him in his reputation amongst the honest party of this nation.
II. Because that employment (he conceives) is unjust and illegal, as to the ends of its first institution, viz., to stop the press from publishing anything that might discover the corruption of Church and State in the time of Popery, Episcopacy, and tyranny; the better to keep the people in ignorance, and carry on their popish, factious, and tyrannical designs for the enslaving and destruction both of the bodies and souls of all the free people of this nation. III. Because licensing is as

A few months after the censor had been installed, the committee appointed to suppress the licentiousness of printing received orders to sit every day, and a sum was put at their disposal to reward those who should discover and seize the presses of the malignants.*

Meanwhile the Revolution progressed, and the King was beheaded, but not without some protests from the press. Many writers did not scruple to attack Cromwell and his policy, when he became the virtual possessor of kingly power. Lilburn was one of those who had courage for this dangerous duty; and he, with others, felt the weight of the Lord Protector's displeasure. Newspapers, however, seem to have been little disturbed by the new aspect of affairs, for they appeared with punctuality, and were despatched in great numbers by the weekly post. Many of them were, by this time, regularly paged.

In 1653, Cromwell was assailed so bitterly that he sought the aid of the strong hand. In that year the Council of State made a report to the Parliament "of several seditious and scandalous pamphlets coming out, tending to the disturbance of the Commonwealth;" and, further, that "they had employed divers persons to great a monopoly as ever was in this nation, in that all men's judgments, reasons, &c., are to be bound up in the licenser's (as to licensing); for if the author of any sheet, book, or treatise, write not to please the fancy, and come within the compass, of the licenser's judgment, then he is not to receive any stamp of authority for publishing thereof. IV. Because it is lawful (in his judgment) to print any book, sheet, &c., without licensing, so as the author and printers do subscribe their true names thereunto, that so they may be liable to answer the contents thereof; and if they offend therein, then to be punished by such laws as are or shall be for those cases provided.

* Rushworth, Vol. II., p. 957.

find out the authors, printers, and publishers thereof." One of these, entitled "A Charge of High Treason against Oliver Cromwell, Esq., for several treasons by him committed," was read, and some information given as to who were the printers of the obnoxious statements. The House referred the matter back to the Council, "to prepare and present what they thought fit to be done in the case, and for the prevention of the like evils for the future."

But these partial efforts against those who offended by their too great freedom of the pen, were not intended to destroy that freedom altogether. The proceedings of the Parliament were still published, and Newspapers were issued without any check. The Restoration of Charles the Second, however, changed all this, and the return of a King to Whitehall became the signal for very decided measures against the press. Having now for many years been accustomed to great liberty of expression, the public writers of the day did not hesitate to criticise public proceedings as they had been used to do. This was soon interfered with. In 1660, an order from the Council of State stopped the *Mercurius Politicus*, and granted to two favoured persons, named Muddiman and Giles, authority to publish the News every Monday and Thursday; but this was only a step towards the suppression of liberty of printing, which the restored authorities had in view. Another act was to forbid the publication of the proceedings in Parliament,* and when, in addition to this,

* These publications of Parliamentary proceedings were interdicted soon after the Restoration, as appears from a debate in Grey's Collection, March 24, 1681; in consequence of which, the notes of the House of Commons were first printed by authority of Parliament.

a law received the sanction of the legislature, placing all publications under the rod of a licenser, the liberty of the press almost ceased to exist. This law was passed the year after Charles the Second had obtained possession of the throne, and was worthy of the assembly which gained for itself the name of the "Pensionary Parliament." Before this act had passed, proceedings had been taken against a merchant named Drake, for the publication of some remarks on the question whether or not the Long Parliament was legally dissolved; but the House had found their powers deficient for the punishment of the offenders, and though one honourable member* had suggested that Drake should be hanged by the neck, whilst his writings were burnt under his feet, and another proposed a public recantation by the delinquent, whilst his works were being destroyed by the hangman, no measures were really carried out against the offending writer, beyond the exhibition of articles of impeachment against him, and an extorted confession of his regret for the offence he had committed against the new authorities.† Such inability for vengeance did not long continue. In 1642, an act was passed "for preventing the frequent abuses in printing seditious, treasonable, and unlicensed books and pamphlets, and for regulating of printing and printing presses." This enactment mapped out,

* State Trials, Vol. V., pp. 1363-70.

† These members who would have hanged Drake were the same who voted that the dead bodies of Cromwell, Ireton, Bradshaw, and Pride, should be taken from their graves and be hanged at Tyburn; and that the head of the defunct ruler of England, should be set on a pole at the top of Westminster Hall; which was done January 30, 1661.

as it were, the literature of the time, and gave different official persons an authority to say what should be printed in each division, and what should be suppressed. The Lord Chancellor and the Judges were to be censors of all legal works ; the Secretary of State was to say what histories, and what political writings, should appear. The Archbishop of Canterbury and the Bishop of London were made censors of philosophy, physics, and religion. But this was not all. No presses or printing were permitted, except in London and York and in the chief Universities ; and the Chancellors of those learned bodies, and the Stationers' Company in London, were allowed a monopoly of the press, and made responsible for all that was produced under their sanction. Any presses set up elsewhere, were declared illegal, and authority was given to seize all such, and to take possession of all clandestine publications. Finally, the writers who contributed to unlawful presses were made amenable to a court of which the Archbishop of Canterbury and the Bishop of London were the chief officers.*

The results of this censorship were lamentable. In place of political discussion, the press now produced licentious poetry and other incentives to dissipation and vice. Puritan strictness gave place to courtly licentiousness, and the verses of Rochester sought the popularity once enjoyed by the prose of Prynne, Bastwick, and Milton. *Paradise Lost* was almost wrecked

* See 13 and 14 Chas. II., c. 33; continued by 16 Chas. II., c. 8; 16 and 17 Chas. II., c. 7; 17 Chas. II., c. 4; and further continued for seven years, from 24th of June, 1685, by 1 James II., c. 17, § 15; and continued for one year longer by 4 and 5 William and Mary, c. 24, § 14.

by the censorship, and seemed so unsuited to the new tempers of the times, that the copyright produced not a sixth part of the sum charged by the House of Commons as the price of its author's release from custody.* Religious freedom was attacked by the Act of Uniformity, and no independent journals fought the battle of the oppressed; for journalism became the privilege of a courtier.

Though the immoral example of the Court helped to corrupt the taste of the public, and the newly gained power of the King was used to crush free discussion, it was found impossible to stop the demand for Newspapers, and hence a determination to patronize one which should be subservient to the views of the authorities. The journalist on whom the Government favour was bestowed was Roger L'Estrange, an accomplished scholar, who had fought and suffered for the Royal cause. He was the son of a Norfolk gentleman, Sir Hammond L'Estrange of Hunstanton Hall, a zealous supporter of Charles the First.† The future journalist was born in 1616, and, whilst yet young, accompanied

* Dec. 17, 1660. Mr. John Milton having now laid long in custody of the Sergeant at Arms, he was released by order of the House. Soon after, Mr. Andrew Marvel complained that the Sergeant had exacted £150 fees of Mr. Milton; which was seconded by Col. King, and Col. Sharpeot. On the contrary, Sir Heneage Finch observed, That Milton was Latin secretary to Cromwell, and deserved hanging. However this matter was referred to the committee of privileges to examine and decide the difference. *Parl. Hist.*, Vol. IV., p. 162.

† This old Cavalier was a staunch Royalist; and when the King and the Parliament were in arms, he became governor of Lynn, the market town of that part of the county of Norfolk where his estates lay. His descendants still enjoy Hunstanton, though the Parliament deprived Sir Hammond of his property for a time.

the King in his expedition to Scotland. In 1644 he was taken prisoner by the Parliamentarians whilst attempting to surprise the town of Lynn, was tried by Court Martial, condemned and sentenced to death as a spy—coming from the King's quarters “without drum, trumpet, or flag. Whilst waiting in Newgate,” says Chalmers, “for the execution of his sentence, he petitioned the Lords, and obtained a respite for fourteen days, this was afterwards prolonged, and he thus lay for four years in prison in continual fear of execution. At length, in 1648, he escaped, and proceeded to Kent, where he attempted to raise an insurrection; but, failing in his endeavour, he with great difficulty reached the Continent, where he remained until 1653; but, on the dissolution of the Long Parliament, he returned to England, and gave notice of his return, believing that he came within the act of indemnity; this was denied by the opposite party, but he received his pardon in October in the same year, having applied personally to Cromwell. His appearance at the Court of Cromwell was much censured, after the Restoration, by some of the Royal party, who also objected to him that he had once been heard playing in a concert where the Usurper was present. He became a Newspaper writer, but on the restoration of King Charles the Second he appears to have been in want; and, together with other neglected Cavaliers, appealed to the Court for patronage. Soon afterwards the pen, which he had used before, was taken up again, to be employed as the weapon of a Government journalist. The title he adopted for his Paper was *The Intelligencer*.

Newspaper articles and political tracts were not the

only productions of L'Estrange. He found time, amid the bustle of a stirring life, and in dangerous times, to translate Josephus, Cicero's Offices, the Colloquies of Erasmus, Seneca's Morals, and Æsop's Fables. This Newspaper writer, thus far, did honour to the profession of the press, by bringing to its service much energy, talent and learning, which, if dimmed at times by party rancour, still contributed in the main to the improvement of the style and manner of early Newspapers.

In the index to the statutes at large, under the heading, "Printers and Printing Press," the reader is directed to "see seditious societies."* A fine commentary this on the character of our law makers. They do not legislate to help the press in the good it might effect, but only make laws to cripple it when a government finds such interference convenient. The statutes of Charles the Second afford abundant illustration of this.

Under the new law enforcing the censorship, L'Estrange, the journalist, became the chief executive officer; and, judging by facts that are on record, a scholar and a man of proper feelings must often have blushed for his new occupation. The Star Chamber was gone beyond revival, and the Old Bailey became the court where sinners against the press laws were arraigned. The new statute soon captured a few victims, and a Tyburn audience was assembled to witness the execution of a troublesome printer.

On an October night in 1663, the Licenser L'Estrange, having received secret information, set out on a search for illegal publications. He had with him a

* Raithby's Index to Statutes.

party of assistants, which included four persons, named Dickinson, Mabb, Wiekham, and Story. These men were called up after midnight, and made their way by L'Estrange's directions to Cloth Fair. This had been Milton's hiding-place, when he had "fall'n on evil days;" and here now lived another heterodox thinker: a printer named John Twyn, whose press had been betrayed to the authorities as one whence illegal thoughts were spread. When called on afterwards to give evidence as to what happened, Wickham described how he met Mr. L'Estrange near Twyn's house, and how "they knocked at least half an hour before they got in;" and how they listened, and "heard some papers tumbling down, and heard a rattling above, before they went up." The door being opened by its unfortunate owner, Wickham was posted at the back door, whilst another stood in front, and the rest of the searchers went over the premises. Efforts had been made to destroy the offending sheets; the type had been broken up, and a portion of the publications had been cast into the next house. Enough, however, was found to support a charge. Twyn's apprentice was put into the witness box to give evidence against his master, and the judges were ready to coincide with Mr. Serjeant Morton, who appeared for the Crown, and declared Twyn's offence to be treason. The obnoxious book repeated the arguments often urged during the Commonwealth, "that the execution of judgment and justice is as well the people's as the magistrate's duty; and, if the magistrates pervert judgment, the people are bound by the law of God to execute judgment without them, and upon them." In his defence,

Twyn said, he had certainly printed the sheets; he "thought it was mettlesome stuff, but knew no hurt in it;" that the copy had been brought him by one Calvert's maid-servant, and that he had got forty shillings by printing it. He pleaded, moreover, in excuse, that he was poor, and had a family dependant on his labour for their bread. Such replies were vain, and the jury found him guilty.

"I humbly beg mercy," cried Twyn, when this terrible word was pronounced. "I humbly beg mercy; I am a poor man, and have three small children; I never read a word of it."

"I'll tell you what you shall do," responded the Chief Justice Hyde, to whom this plea for clemency was addressed, "ask mercy of them that can give it: that is, of God and the King."

"I humbly beseech you to intercede with His Majesty for mercy," piteously exclaimed the condemned printer.

"Tie him up, executioner," was the only reply; and Hyde proceeded to pronounce sentence. To read this sentence in the record of the trial makes the blood run cold. "I speak it from my soul," said this sycophant Chief Justice, "I think we have the greatest happiness in the world in enjoying what we do under so gracious and good a King" (this was spoken of Charles the Second, be it remembered); "yet you, Twyn, in the rancour of your heart thus to abuse him, deserve no mercy!" After some further expressions of loyalty, and a declaration that it was high time an example should be made to deter those who would avow the killing of kings, he ordered that Twyn should be

drawn upon a hurdle to the place of execution; that he be hanged by the neck, and, being alive, that he should be cut down, and that his body be mutilated in a way which decency now forbids the very mention of; that his entrails should afterwards be taken out, "and, you still living, the same to be burnt before your eyes; your head to be cut off, and your head and quarters to be disposed of, at the pleasure of the King's Majesty."

"I humbly beseech your Lordship," again cried Twyn in his agony, "to remember my condition, and intercede for me."

"I would not intercede," replied sanguinary Judge Hyde in the cruelty of his heart, "for my own father in this case, if he were alive." And the unhappy printer was led back into Newgate, only to leave it for Tyburn; where the sentence was soon afterwards carried out; his head and the quarters of his body being set up to fester and rot "on Ludgate, Aldersgate, and the other gates of the city."*

Other printers were seized and tried, but escaped more lightly than Twyn. Simon Dover, Thomas Brewster, and Nathan Brooks, were indicted at the Old Bailey, for printing the speeches and prayers of some of the regicides. Newspapers dared not, under the new regime, publish such things, and the accused printers had ventured on their issue in a separate pamphlet. For this they narrowly escaped the gallows, and their temerity was punished by the pillory, by long imprisonment, and ruinous fines. L'Estrange it was who became the instrument for the apprehension of

* State Trials, Vol. VI., p. 539.

all such offenders. His evidence, in one case, will show how he was obliged to proceed. "I came to the house of Nathan Brooks," said he, "about October last, and knocking at the door, they made a difficulty about letting me in. At last, seeing not how to avoid it, Brooks opened the door, and I asked him what he was? He told me he was the master of the house. By and by comes one that lodged in the house, and throws down this book" (showing a book) "in the kitchen, with this expression, 'I'll not be hanged for never a rogue of you all: Do you hide your books in my chamber?' This book had the speeches in it, and other schismatical treatises. After this I searched the next house; and there I found more difficulty to get in. But, after a long stay, I saw the second floor in a blaze; and then, with a smith's sledge, I endeavoured to force the door, and one comes down and opens the door. I went in, and upstairs, where I found about two hundred copies of the Prelatick Preachers, and certain notes of Nathan Brooks, wherein he mentions the delivery of several of these speeches, and other seditious pamphlets." A charming occupation this for a Cavalier, a scholar, and a gentleman—a compound of spy, inquisitor, and policeman!

Lord Hyde found another occasion for the display of loyal brutality in the case of Benjamin Keach, who was put on his trial at Aylesbury assizes in 1665, for having written a small book, in which it was urged that laymen might preach the gospel—an indictable doctrine. When brought into court the accused was treated so shamefully by the judge, that, a century afterwards, the conduct of Hyde became the subject

of severe comment in the House of Commons.* Keach avowed the authorship of the publication, and would have spoken in defence of it, but the Chief Justice interrupted him, by loudly declaring that the prisoner "should not preach in that court to seduce and infect His Majesty's subjects," and added, "he would try him before he slept." He *did* try him, and sentence him also, and Keach stood twice in the pillory whilst his book was burned by the hangman before his face. A fine and imprisonment were also inflicted upon him, which he suffered, "but he was never brought to make a recantation."† Indeed the fortitude of the early martyrs of the press forms a prominently remarkable feature in what remains to us of their history.

L'Estrange the censor was also L'Estrange the Newspaper editor. During the Commonwealth, there were popular journals called the Public Intelligencer, and the Parliamentary Intelligencer. With the Restoration, and the changes for the worse that it made in the Newspapers, came changes of title, and, instead of a Parliamentary Intelligencer, the people were offered a Kingdom's Intelligencer. The biographer of the new ruler of the press thus refers to L'Estrange's proceedings in relation to it, and also to the career of the licenser:—

L'Estrange, who had received the appointment of licenser of the press, and held the office until the eve of the Revolution; in 1663, for a further support, he set up a Paper called "The Public Intelligencer and the News;" the first of which came out the 1st of August, and continued to be published until January 19, 1665; when he laid it down, in the design then

* Parliament. Hist., Dec. 6, 1770. † State Trials, Vol. VI., p. 710.

concerted of publishing the London Gazette, the first of which Papers made its appearance on Saturday, September 4. Many years later, in 1679, he set up a Paper, called "The Observer," to vindicate the King and Court from the charge of being inclined to Popery. In 1681 he ridiculed the Popish Plot so violently, that he raised himself many enemies. He acted in the same manner with regard to the Fanatic Plot in the following year; but, having weathered all these storms, he was rewarded with the honour of knighthood in the succeeding reign. In 1687 he was obliged to lay down the Observer, as he could not agree with the "toleration proposed by His Majesty, though in all other respects he had gone the utmost lengths." His advocacy of the measures of James the Second caused him to be suspected of Popery, and he was at considerable pains to contradict the charge. On the accession of William and Mary, he was looked upon as a disaffected person, and attacked by many of the writers of the day. Even the Queen herself showed her contempt of him, by the following anagram she made on his name:—

"Roger L'Estrange,
Lying strange Roger."

Among others who attacked the character of Sir Roger was the noted Miles Prance, who was convicted of perjury in the affair of the murder of Sir Edmundbury Godfrey. Eehard, in his History of England, gives us an anecdote of these two worthies, which seems characteristic of both parties. Eehard says that Dr. Sharp told him, when Archbishop of York, that while he was Rector of St. Giles's-in-the-Fields, L'Estrange, the famous Richard Baxter, and Miles Prance, on a certain sacrament day, all approached the communion table, L'Estrange at one end, Prance at the other, and Baxter in the middle; that these two by their situation were administered to before L'Estrange, who when it came to his turn, taking the bread in his hand, asked the doctor if he knew who that man (pointing to Prance) on the other side of the rails was; to which, the doctor answering in the negative, L'Estrange replied, "That is Miles Prance, and I here challenge him, and solemnly declare before God and this congregation, that what that man has sworn

or published concerning me, is totally and absolutely false, and may this sacrament be my perdition if all this declaration be not true." Echard says that Prance was silent, Mr. Baxter took special notice of it, and Dr. Sharp declared that he would have refused Prance the sacrament had the challenge been made in time.

Sir Roger L'Estrange died September 11, 1704, in the eighty-eighth year of his age; he was buried in the Church of St. Giles's-in-the-Fields, where an inscription to his memory was placed. Granger says,* "He was one of the great corrupters of our language, by excluding vowels and other letters not commonly pronounced, and introducing pert and affected phrases. Speaking of Queen Mary's anagram on L'Estrange, Granger remarks, "This naturally introduces the distich made by *Lee*, who by years was so strangely altered as scarce to be recollected by his old friend:—

Faces may alter, names can't change :

I am *strange* *Lee* altered; you are still L'Estrange."

The restraint of the press was not exercised without producing murmurs from those who suffered by it, and L'Estrange's was not the only pen called into activity in defence of the obnoxious law. In 1679, the Church supplied an advocate for the censorship, when one Dr. Francis Gregory, rector of Humbleton, came to the aid of the Government with what he entitled, "A Modest Plea for the Due Regulation of the Press, humbly submitted to the judgment of authority." On the opposite side there appeared a pleader who attracted much attention by a pamphlet described as "A Just Vindication of Learning, or a Humble Address to the High Court of Parliament in behalf of Liberty of the Press, by Philopatris."† The writer of this says:—"Nothing would be more conducive

* Biog. Hist. Engl., Vol. IV., p. 70.

† London, 1769.

(for the preventing of the Popish priests doing mischief) than the propagating of wisdom and knowledge among the populace ; since, as ignorance renders men obedient and susceptible of the meanest slavery, so does it contrary put all men on their guard : *Omnes enim nos sumus, aut corvi qui lacerant, aut cadavera quæ lacerantur.* Now, for the more speedy effecting hereof, there hath never been discovered any better expedient amongst men than that of the liberty of the press, whereby whoever opposes the public interest are exposed and rendered odious to the people ; as, on the contrary, they who merit well of their country are ever recorded with immortal honour to posterity. So that if fame and ambition (as all generous souls must acknowledge) have so great an influence over the minds of active men, what can be more reasonable, what can be more serviceable to the world, than that which hurries men into a necessity, either of acting virtuously, or of forfeiting their so-much-desired honour for ever ? And such I take to be the consequence of a free press. From which consideration, since the late act, which laid that severe restraint upon printing, is so near expiring, my humble address to your Lordships, and to you, Gentlemen of the House of Commons, is that, before you proceed to the continuation of anything of that nature, you will condescend so far as to look down upon these ensuing arguments against any such inquisition or embargo upon science.” Philopatriss makes free use of Milton’s suggestions and authorities, and speaks out most bitterly against licensers and licensing. He reminds the Parliament that “ truth needs no policies, no stratagems, no licens-

ings to render her victorious ; these are only the shifts and defences that error uses against her power."

In the notice of L'Estrange's career, we have seen that the London Gazette, which still lives amongst us as the vehicle for bankrupt lists and other official notices, was started in 1665 ; the first number appearing at Oxford, and being called the Oxford Gazette. The reason for this title resides in the fact, that the King and the Court had fled from London to avoid the Great Plague which was then devastating the metropolis, and it being determined that a Royal Gazette,—something like the work under the same title which had appeared in Paris, and which had, doubtless, often helped to amuse Charles when in exile,—should be published, this work was dated and designated from the place where the first number of it appeared. When Charles returned to Whitehall the new Paper followed in his train, and took the name of London Gazette, by which it has ever since been known. It was first placed under the control of Sir Joseph Williamson,* who

* Williamson was the son of Joseph Williamson, vicar of Bridekirk, in Cumberland. He was first appointed clerk to Rich. Tolson, Esq., Member of Parliament for Cockermouth ; and after holding several other offices was, in 1677, sworn one of the clerks of the Council in Ordinary, and knighted. He was Under-Secretary of State in 1665, when he procured for himself the writing of the Oxford Gazette. For several years he represented the borough of Thetford. At the treaty of Cologne, he was one of the British plenipotentiaries with the Earl of Sutherland and Sir Scalin Jenkins ; and, at his return, was sworn principal Secretary of State. Nov. 18, 1678, being committed to the Tower for granting commissions and warrants to Popish recusants, he was released the same day by the King, in opposition to the House. He resigned his place as Secretary in 1678, and was succeeded by the Earl of Sutherland, who is said to have given Sir Joseph a large sum of money for it. Sir Joseph was President of the Royal Society in 1678, and a great

appointed a Mr Charles Perrot to edit the new Paper a duty which called, in this case, for no great stretch of genius. The Gazette contained only what was agreeable to the King.

The refusal to permit the publication of Parliamentary reports led to the surreptitious printing of occasional speeches of members, and now and then to the issue of printed narratives of special discussions. The information for these publications could only be afforded by members themselves, and no men would have run the risk of issuing such illegal works unless they felt deeply interested in acquainting the constituencies of the country with their doings. One of these unlicensed reports was made on the occasion of the debates and resolutions in the House of Lords in April and May, 1675, concerning the bill which proposed "to prevent the dangers which may arise from persons disaffected to the Government." The philosopher Locke wrote an abstract of this debate at the suggestion of the Earl of Shaftesbury, and on information supplied by that nobleman. It was published in the form of "a Letter from a Person of Quality to his Friend in the Country," and was widely circulated, to the great vexation of the Privy Council, who evinced

benefactor to Queen's College. He died in 1701, and was buried in Westminster Abbey. The account of his release by Charles is thus related:—"The King sent for the members of the House of Commons to the banquetting house, where he told them, 'Though you have committed my servant without acquainting me, yet I intend to deal more freely with you, and acquaint you with my intentions to release my Secretary;' which he accordingly did before they could draw up an address against it, so that when they had, the answer, was 'It is too late.'"—*Nobles Granger*, Vol. I., p. 156. *Chalmer's Biog. Diet.*

their wrath by ordering the publication to be burnt by the hangman. The Earl of Shaftesbury himself subsequently wrote what may be called notices of Parliamentary proceedings. One of these for instance was issued under the title of "A Letter from a Parliament man to his Friend, concerning the Proceedings in the House of Commons, this last Sessions begun the 13th of Oct., 1675."* Nor must Andrew Marvel be forgotten in the list of those who described the daily proceedings in Parliament when the Government would not permit Newspaper reports. That patriotic member, from 1660 to 1678, regularly transmitted to his constituents at Hull a faithful account of each day's proceedings. The Hon. Anehitell Gray, who for forty years was the representative of Derby, also contributed to our stock of Parliamentary information by a number of reports made between 1688 and 1694; and these records of what was done in the Legislature during the time when the Newspapers were forbidden to notice the debates, now form a most important addition to our materials for judging of the history of the period. How much more perfect these materials would have been, had more freedom been permitted to the press, is now painfully evident.

And here, whilst speaking of the operation of the laws upon the press at this period of our history, the notorious Jeffreys must not pass unnoticed, for his unscrupulous brutality was often exercised upon those who were charged with unlicensed printing. One prominent victim of this judge was Francis Smith,† who suffered loss of liberty and property for the crime

* Parl. Hist., Vol. IV. † State Trials, Vol VII., pp. 931—960.

of issuing publications unpalatable to the Court. In one case, this victim of the licenser was indicted three separate times, and on each occasion the grand jury ignored the bill against him; yet Jeffreys held him in gaol, and made him give security for his re-appearance. Another publisher on whom the same judicial tyrant poured out his wrath was Henry Carr, or Cave, indicted in 1680, for some passages in a Paper entitled *The Weekly Packet of Advice from Rome*; which journal first appeared on the 3rd of December, 1678, and was continued till May, 1680, when it was stopped by the proceedings in which Jeffreys had part. When put on his trial at Guildhall, Carr was described as "Henry Carr of the parish of St. Sepulchre, gentleman," and he was charged with attempting to scandalize the Government, and to bring it into contempt. In opening the case against the accused, Jeffreys referred to the numerous audience in the court, and said that many "came to know whether or no rascals may have liberty to print what they please. Now," continued this legal authority, "all the judges of England having been met together to know whether any person whatsoever may expose to the public knowledge any matter of intelligence, or any matter whatsoever that concerns the public, they gave it as their resolution, that no person whatsoever could expose to the public knowledge anything that concerned the affairs of the public, without license from the King, or from such persons as he thought fit to entrust with that affair." The Lord Chief Justice Scroggs also declared such to be the law, which was no other than asserting that the King had absolute power over

the press, and the jury affirmed this view of the state of things in 1680, by finding Carr guilty.*

Three acts of Parliament, some Royal proclamations, Old Bailey trials, and Tyburn executions were, however, ineffectual for the complete subjection of the press. From time to time unruly thoughts would find their way into print, and when the religious feelings of the nation were again roused, and when the question of excluding the Duke of York from the throne, on account of his Popish tendencies, was in full debate, a shower of pamphlets again made their appearance. Amongst the combatants in this war of words was Carr (or Cave†), already mentioned, who wrote against the Church of England party, in a paper which he published weekly in opposition to the *Observer* conducted by L'Estrange. Another writer took the title of *Heraclitus Ridens*, and his contributions to the wordy war were afterwards reprinted. About this period it was that the two party names were invented which have cut so conspicuous a figure in the Newspapers from that period even to the present day. In 1679, the word *Tory*

* See also the cases of Elizabeth Cellier, Benj. Harris, and Jane Curtis. *State Trials*, Vol. VII.

† Wood in his *Athenæ Oxoniensis*, in his *Life of Thos. James*, when noticing a work called *Fiscus Papalis*, &c., observes, "It hath supplied with matter a certain scribbler called Henry Cave, in his 'Weekly Pacquet of Advice from Rome.' After King James the Second came to the crown, Cave was drawn over so far by the Roman Catholic party, for bread and money sake, and nothing else, to write on their behalf, and to vindicate their proceedings against the Church of England, in his *Mercures*; which weekly came out, entitled 'Public Occurrences truly stated.' The first of which came out 21st February, 1687, and were by him continued to the time of his death, which happened 8th August, 1688, aged 42; he was buried in the yard belonging to the Blackfriars' Church in London."

was first used ; the antagonistic appellation, Whig, arose soon afterwards.

The people, whilst deprived of free Newspapers, had a keen appetite for News, and Macaulay in his *History** has given us a graphic sketch of the avidity with which the neighbourhood of the Court was sought by those who thirsted for information of current events. "Whitehall," he says, "naturally became the chief staple of News. Whenever there was a rumour that anything important had happened, or was about to happen, people hastened thither to obtain intelligence from the fountain-head. The galleries presented the appearance of a modern club-room at an anxious time. They were full of people inquiring whether the Dutch mail was in ; what tidings the express from France had brought ; whether John Sobiesky had beaten the Turks ; whether the Doge of Genoa was really at Paris. These were matters about which it was safe to talk aloud ; but there were subjects concerning which information was asked and given in whispers : Had Halifax got the better of Rochester ; was there to be a Parliament ; was the Duke of York really going to Scotland ; had Monmouth really been summoned from the Hague. Men tried to read the countenance of every minister as he went through the throng to and from the Royal closet. All sorts of auguries were drawn from the tone in which His Majesty spoke to the Lord President, or from the laugh with which His Majesty honoured a jest of the Lord Privy Seal ; and, in a few hours, the hopes and fears inspired by such slight indications had spread to all the coffee-houses from St. James's to the Tower."

* *History of England*, Vol. I., p. 365.

The same admirable pen gives us a picture of the state of the press in the later days of the feeble and profligate Charles. "In 1685," says Macaulay, "nothing like the daily Paper of our time existed, or could exist. Neither the necessary capital nor the necessary skill was to be found. Freedom too was wanting, a want as fatal as that of either capital or skill. The press was not indeed at that moment under a general censorship. The licensing act, which had been passed soon after the Restoration, had expired in 1679. Any person might therefore print, at his own risk, a history, a sermon, or a poem, without the previous approbation of any public officer; but the judges were unanimously of opinion that this liberty did not extend to Gazettes; and that, by the common law of England, no man not authorized by the Crown had a right to publish political News.* While the Whig party was still formidable, the Government thought it expedient occasionally to connive at the violation of this rule. During the great battle of the Exclusion Bill, many Newspapers were suffered to appear; the Protestant Intelligencer, the Current Intelligence, the Domestic Intelligencer, the True News, the London Mercury. None of these was published oftener than twice a week. None exceeded in size a single small leaf. The quantity of matter which one of them contained in a year was not more than is often found in two numbers of the Times. After the defeat of the Whigs, it was no longer necessary for the King to be sparing in the use of that which all his judges had pronounced to be his undoubted prerogative. At the close of his reign,

* London Gazette, May 5th and 17th, 1680.

no Newspaper was suffered without his allowance; and his allowance was given exclusively to the London Gazette. The London Gazette came out only on Mondays and Thursdays. The contents generally were a Royal proclamation; two or three Tory addresses; notices of two or three promotions, an account of a skirmish between the Imperial troops and the Janissaries on the Danube; a description of a highwayman; an announcement of a grand cockfight between two persons of honour; and an advertisement offering a reward for a strayed dog. The whole made up two pages of moderate size. Whatever was communicated respecting matters of the highest moment was communicated in the most meagre and formal style. Sometimes, indeed, when the Government was disposed to gratify the public curiosity respecting an important transaction, a broadside was put forth giving fuller details than could be found in the Gazette; but neither the Gazette, nor any supplementary broadside printed by authority, ever contained any intelligence which it did not suit the purposes of the Court to publish. The most important Parliamentary debates, the most important State trials recorded in our history, were passed over in profound silence.* In the Capital, the coffee-houses supplied in some measure the place of a journal. Thither the Londoners flocked, as the Athenians of old flocked to the market-place, to hear whether there was any News. There men might learn how brutally a Whig had been treated the day before in

* For example, there is not a word in the Gazette about the important Parliamentary proceedings of November, 1685, or about the trial and acquittal of the seven bishops.—*Macaulay*.

Westminster Hall; what horrible accounts the letters from Edinburgh gave of the torturing the Covenanters; how grossly the Navy Board had cheated the Crown in the victualling of the fleet; and what grave charges the Lord Privy Seal had brought against the Treasury, in the matter of the hearth money. But people who lived at a distance from the great theatre of political contention could be kept regularly informed of what was passing there only by means of News-letters. *

* * It is scarcely necessary to say that there were then no Provincial Newspapers. Indeed, except in the Capital, and at two Universities, there was scarcely a printer in the Kingdom. The only press in England, north of Trent, appears to have been at York." *

Macaulay winds up with a bitter, and perhaps deserved, denunciation of L'Estrange, whose intolerant Toryism, pursued its victims, even beyond the grave, with an inveteracy equal to that of Anthony Wood.

James the Second, like his brother, had a hatred of free Newspapers, and one of the laws made during his short reign was directed against the press. When the intelligence reached him that the Duke of Monmouth had landed in the west—Argyle being in arms in the north—the Parliament was asked for money to crush the armed rebellion, and for a revival of the statute of 13th and 14th Charles the Second, that the rebellion in type might also be suppressed. The obedient Houses granted both demands, and the tram-

* Life of Thomas Gent. A complete list of all printing-houses in 1724, will be found in Nichols's Literary Anecdotes of the Eighteenth Century. There had then been a great increase within a few years in the number of presses, and yet there were thirty-four counties in which there was no printer, one of those counties being Lancashire.—*Macaulay*.

mels of printing were strengthened, whilst taxes were spent upon an armed force to keep James upon the throne. The imposition of this additional fetter on free expression calls from the statesman and historian Fox, the remark, that "this circumstance, important as it is, does not seem to have excited much attention at the time, which, considering the general principles then in fashion is not surprising. That it should have been scarcely noticed by any writer," continues he, "is more wonderful. It is time, however, that the terror inspired by the late prosecutions for libels, and violent conduct of the courts upon such occasions, rendered a formal destruction of the liberty of the press a matter of less importance. So little does the magistracy, when it is inclined to act tyrannically, stand in need of tyrannical laws to effect its purpose. The bare silence and acquiescence of the legislature is in such a case fully sufficient to annihilate, practically speaking, every right and liberty of the subject."*

The Courts of Law, as well as the Parliament House, interfered with the press. Soon after the execution of the supposed murderer of Sir Edmundbury Godfrey, there appeared in a Paper of the period a letter criticising the evidence adduced before the coroner's jury, and contending that the deceased knight had destroyed himself, and had not fallen by the hands of others. This letter was published in a journal called *The Loyal Protestant Intelligence*, the owner of which, one Nathaniel Thompson, was, it appears, known as the "Loyal Protestant Printer." Some of the witnesses in the case of Edmundbury

* Fox's History of James the Second.

felt aggrieved at these comments in the Newspaper, and a prosecution was instituted against Thompson the printer, and the authors of the critique, William Pain and John Farwell. The trial took place at Guildhall, and a verdict of guilty having been returned, Mr. Justice Jones sentenced Thompson and Farwell to the pillory and to pay a fine of £100, whilst Pain escaped with a fine only. This judgment was carried out. On the 5th of July, 1682, Thompson and Farwell stood in the pillory in the Old Palace Yard at Westminster, with this writing over their heads, "For libelling the justice of the nation, by making the world believe that Sir Edmundbury Godfrey murdered himself."* Had Charles Dickens written in such times, he would inevitably have been made a martyr, had he ventured to give such admirable and useful descriptions as the one in *Pickwick*, where the tyrannical rascalities of Mr. Fang are exposed.

The slavery of the press, whilst James the Second held power in England, was further manifested in the case of the pious and exemplary Richard Baxter, who having written a Paraphrase on the New Testament, certain passages were culled from it, (it is said by L'Estrange,) and declared to be an attack on the bishops. The infamous Jeffreys sat as judge in the case, and his coarse brutality towards the pious divine has formed a subject of remark to every writer who has referred to the trial. Baxter was condemned, and fined £500, and ordered to lie in prison till the money was paid. A still more cruel case was that of the Rev. Samuel Johnson, who, publishing an address to

* State Trials, Vol. VIII., p. 1389.

the Protestants of the army, was arrested and tried at the King's Bench Bar at Westminster, 21st of June, 1686, on a charge of seditious and scandalous libel against the Government. The address was far less severe than most of the leading articles of a modern morning Paper, yet Johnson was ordered to be degraded from the Church, to be pilloried, and to be flogged from Newgate to Tyburn. This abominable sentence was executed. The ceremony of degradation was performed by three supple and obedient churchmen, Dr. Crew, Bishop of Durham, Dr. Sprat, Bishop of Rochester, and Dr. White, Bishop of Peterborough. These dignitaries had the prisoner taken to the Chapter House of St. Pauls, where they put a square cap upon his head, and then took it off; they then pulled off his gown and girdle, and put a Bible into his hands, "which he not parting with readily, they took from him by force."* From the cathedral Johnson was taken to Newgate, where the common hangman awaited him, and he was flogged from the Old Bailey to Tyburn, "which he endured with as firm a courage and as Christian behaviour as ever was discovered on any such occasion; though, at the same time, he had a quick sense of every stripe which was given him, with a whip of nine cords, knotted, to the number of 317."† He was likewise put thrice into the pillory, and mulcted of 500 marks. When James's love of Popery had lost him the throne, the Parliament was called upon to take Johnson's case into consideration; and, so great was their sense of the injustice done him, that they declared the judgment to have been illegal

* State Trials, Vol. II., p. 1352.

† State Trials, Vol. II., p. 1351.

and cruel, and the ecclesiastical proceedings against him to be null and void. They also solicited the new King to grant him some compensation,—which was done.

These attempts for the suppression of printed thought by James had, however, again the effect which was produced by similar tyranny in the times of his father, Charles the First. The printers of London dared not multiply the opinions of those who differed from the Crown ; but the printers of Holland had no such scruples, and again the shores of England were invaded by pamphlets produced at the Hague. Nor censors, nor custom-houses could stay the force of this inroad. The people *would* have Protestant books and News. The King issued two proclamations in support of his act of Parliament. These manifestoes were declared to be for “restraining the spreading of false News.” But in vain. The printed paper still poured in from Holland, and a King and Queen soon followed from the same shores to occupy the throne from which the press-coercing James was compelled to flee.

CHAPTER V.

A CENTURY OF NEWSPAPERS.—THE ORANGE INTELLIGENCER OF 1688 TO THE TIMES OF 1788.

“For almost all that keeps up in us, permanently and effectually, the spirit of regard to liberty and the public good, we must look to the unshackled and independent energies of the press.—HALLAM’s *Constitutional History*.

The Orange Newspapers.—The Career of Tutchin.— Judge Jeffreys.— Defoe.—The time of Pope and the first Daily Paper.—Bolingbroke.—Swift.—Addison.—The first Stamp Act and its effects.—Steele expelled the House of Commons.—Fielding.—Foote.—Burke.—Dr. Johnson.—Smollet.—Wilkes.—Churchill.—Junius.—Chatterton.—The House of Commons and the Printers.

THE press was emancipated from the censorship soon after the Revolution, and the Government (as Macaulay says) immediately fell under the censorship of the press. Both Whigs and Tories looked to the Papers of the time to gain support for their different opinions, and the people were thus again openly and avowedly appealed to for a judgment on political questions. The Government set up the Orange Intelligencer for the promulgation and support of their policy, whilst the opposition were equally provided with journals in which the character and proceedings of the authorities were unscrupulously criticised. All this was favourable to the cause of rational liberty; since, in the contest of argument, there was little fear but truth would ultimately gain an advantage over error. The Newspapers too became a sort of safety-valve by which the effervescing elements of society

(so to speak) might find at least a partial means for venting sentiments, which when restrained become dangerous. The press grew rapidly with its increased freedom, and became active, unscrupulous, and influential. Speaking of this period, Hallam says:—"For vigilance, and indeed for almost all that keeps up in us, permanently and effectually, the spirit of regard to liberty and the public good, we must look to the unshackled and independent energies of the press." In the reign of William the Third, and through the influence of the popular principle in our constitution, this finally became free. The licensing act, suffered to expire in 1679, was revived in 1685 for seven years. In 1692, it was continued till the end of the session of 1693. Several attempts were afterwards made to renew its operation, which the less courtly Whigs combined with the Tories and Jacobites to defeat.*

Both parties indeed employed the press with great diligence in this reign; but while one degenerated into malignant calumny and misrepresentation, the signal victory of liberal principles is manifestly due to the boldness and eloquence with which they were promulgated. Even during the (short) existence of a censorship, a host of unlicensed publications, by the negligence or connivance of the officers employed to seize them, bore witness to the inefficacy of its restrictions. The bitterest invectives of Jacobitism were

* Commons' Journals, 9th January, and 11th February, 1694-5. A bill to the same effect, sent down from the Lords, was thrown out, 17th April, 1695. Another bill was rejected on the second reading in 1697, 3rd April.

circulated in the first four years after the Revolution.* Politicians were severely criticised by their opponents, but, since both sides had to pass the same ordeal, the ultimate result was a gradual diminution of partizan violence and a growing moderation, both in the exercise of power and in the acrimony of opposition. "Statesmen had a scrutiny to endure which was becoming day by day more severe. The extreme violence of opinions abated. The Whigs learned moderation in office; the Tories learned the principles of liberty in opposition. The parties almost constantly approximated, often met, and sometimes crossed each other. There were occasional bursts of violence; but, from the time of the Revolution, those bursts were constantly becoming less and less terrible."†

The press, though enjoying more liberty, was still occasionally brought in contact with the law when the Government chose to regard its productions as dangerous. Thus, before the expiration of the licensing act, a publication, entitled "King William and Queen Mary Conquerors," said to have been written by C. Blount, was ordered (1693), by the two Houses of Parliament, to be burned by the common hangman, whilst the licenser, Mr. Bohun, was removed from his office for allowing it to be printed.‡ In 1744 Sir John Knight's speech in Parliament against the bill for naturalizing Protestant foreigners having been

* Somer's Tracts *passim*. John Dunton the bookseller, in the History of his Life and Errors, hints that unlicensed books could be published by a *douceur* to Robert Stephens, the messenger of the press, whose business it was to inform against them.—*Note to Hallam*.

† Macaulay's Essays, Vol. I., p. 204.

‡ Tindal's *Rapin*, Book XXV.

printed and circulated by the Tory party, it was ordered by the House, that the speech contained false and scandalous and seditious expressions and reflections, and that it be burnt by the hangman. The Serjeant-at-Arms attended in Palace Yard to see this order executed. At the end of the same year,* a complaint was made to the House of Commons that a News-writer, named Dyer, had presumed to take notice of their proceedings in one of his productions, and an order was issued that this offender against the privileges of Parliament, should be summoned by the Serjeant-at-Arms, to attend at the sitting of the House; a command which he obeyed, and after an examination he acknowledged his offence, and was ordered to kneel at the bar, whilst the Speaker reprimanded him "for his great presumption." The Commons afterwards came to a resolution "that no News-letter writers do, in their letters or other papers that they disperse, presume to intermeddle with the debates, or any other proceedings of this House."† Here was a direct avowal of a determination to keep all their proceedings out of print. The Parliament objected, in fact, to the scrutiny of the people; but some of their debates were printed, nevertheless, from time to time. Dyer appears not to have been altogether intimidated by the Speaker's censure, for we find on record a story which shows that he still continued to issue his News-letters, and to mention in them the names of peers of Parliament. "One Dyer," says Kennet, "was justly reprimanded by the Speaker for presuming to represent the proceedings of the House. But such a gentle rebuke could

* Dec. 21, 1694.

† Parl. Hist., Vol. V., p. 363.

not reform a fellow who wrote for two very necessitous causes, for the Jacobite party and for bread. But the Lord Mohun rebuked him more effectually some time after; for finding him at one of his factious coffee-houses, and showing him a letter, wherein his lordship was named, Dyer owned it, not knowing my lord; who immediately laid on him with a cudgel he had provided for that purpose, and made him swear to have no more to say of the Lord Mohun."

In 1697 the Parliament set about the task of retrieving the public credit, and to supply the want of money by the currency of exchequer bills. The Newspaper known as the Flying Post* thus referred to the proceedings:—"We hear that when the exchequer notes are given out upon the capitation fund, who-soever shall desire specie on them, will have it at $5\frac{1}{2}$ per cent. of the society of gentlemen that have subscribed to advance some hundred thousands of pounds."† The House voted this passage to be a malicious insinuation, in order to destroy the credit and currency of the exchequer bills. They ordered the printer, John Salisbury, to be sent for in custody; and they gave leave to bring in a bill to prevent the writing, printing, or publishing any News without license. But when such a bill was presented by Mr Pulteney it was thrown out before the second reading." Here was the attempt to revive the licensing act which Hallam refers to. It was, as we have seen, defeated in an early stage of its progress, and this result may be partially attributed to the circulation of a tract,‡ written

* Published April 1, 1697.

† Parl. Hist., Vol. V., p. 1164.

‡ State Tracts, William III., Vol. II., p. 614.

like Milton's, to urge the Parliament to leave the press unshackled. The question was well put before the Legislature in this pamphlet, and its author had the satisfaction to find that printing was to remain for a time without any additional trammels. Meantime Newspapers had gone on increasing. From the day of the first appearance of the Public Intelligencer in 1661 till 1688, there had appeared altogether about seventy different Journals. Some of these lived but a few numbers, others were more permanent; whilst one of them, the London Gazette, remains still in existence. Within the four years next after 1688, no less than twenty-six Papers were added to the list. The word Reform now found its way into the heading of a Paper conducted by Dr. J. Wellwood, whose lucubrations graced the *Mercurius Reformatus*. Other novelties also appeared; and the competition, begotten of increased supply, had the effect of tasking the inventive faculties of projectors. Thus the Flying Post, in 1695, suggests, "that if any gentleman has a mind to oblige his country friend or correspondent with this account of public affairs, he can have it for twopence of J. Salisbury, at the Rising Sun in Cornhill, on a sheet of fine paper, half of which being blank, he may thereon write his own affairs, or the material News of the day." Here we see an indication that the News-letter* was not forgotten; and this is still further shown in the case of another Journal published by Ichabod Dawks

* The last two volumes of the Stepney Papers in the British Museum contain—"Letter of News transmitted to Mr. Stepney from the Secretary of State's office by Mr Ellis, by Mr Yard, and Mr Warre," Vol 21; "Papers of News transmitted to Mr. Stepney by Mr Cardonnel, (Secretary to the Duke of Marlborough,) during the campaigns of

in 1696, which was printed in script, and on letter-paper to imitate an ordinary handwriting, a portion being left blank to be filled up by the purchaser before he despatched it by post. The increase of such prints was encouraged by the increased facilities for their circulation. The Post Office, which had been established by Charles the First, was interrupted by the Civil Wars only to be put on a more secure footing when those wars were at an end; and, when William and Mary occupied the throne, the postal service was still further extended, and many of the Journals were published on the days most convenient for despatch through its medium.

Queen Anne ascended the throne on the 8th of March, 1702, and her reign is memorable in the annals of the press. It was marked by a law giving copyright to authors, by the establishment of the first daily Newspaper. by the appearance of great names in the list of writers for the public prints, and by the imposition of a stamp upon Newspapers, and a duty on advertisements.

In May 1702 the Parliament took cognizance of several publications which were alleged to contain libellous and dangerous matter. Amongst other offenders was Dr. Drake, who escaped with a censure; whilst another writer saw his production burnt by the hangman; and a third, the Rev. Dr. Bincke, was reported to the bishop of his diocese as a preacher and

1702—1706, and from Sir Lambert Blackwell, Mr. Chetwynd, and Mr. Broughton, English ministers resident in Italy during the same period." These letters are respectively entitled "Whitehall News," "Edinburgh News," "Camp News," "Italian News." &c.

publisher of scandalous and offensive remarks. All the writings thus denounced had a character regarded then as politically dangerous.

At the opening of the year 1704, the editor of the Paper called the *Observator* fell under the displeasure of the Parliament, in consequence of some remarks he had made on occasional conformity. A resolution was adopted, "That the *Observator*, from the 8th to the 11th of December, 1703, contains matters scandalous and malicious, reflecting on the proceedings of the House, tending to the promotion of sedition in the kingdom; and that Tutchin the author, How the printer, and Bragg the publisher of that Paper, should be taken into custody by the Sergeant-at-Arms." Tutchin set the House at defiance, absconded, "went on in his way of writing," and made some further sharp remarks upon a speech of a member of Parliament, Sir John Paekington. Upon this the Commons were again appealed to, and they adopted an address to the Queen, praying that a proclamation be issued for apprehending the contumacious writer, printer, and publisher, and offering a reward to any person who should betray their hiding-place.

The writer who thus braved the wrath of the Legislature had suffered much, and unjustly, at the hands of his political opponents; and, as in the case of Lilburn, a youth of suffering and wrong would seem to have prepared Tutchin for a manhood of determined action against those whom he regarded as his political foes. In the chronicles* of that assize in which the path of

* The Western Martyrology, or The Bloody Assizes, quoted in State Trials, Vol. XIV., p. 1195.

Jeffreys was marked by a string of gibbets, and the victims were counted by hundreds, we find notice of "Mr. John Tutchin, a young gentleman of Hampshire, who, having had the misfortune, with many others of his acquaintance, to be in the interest of the Duke of Monmouth, was taken a prisoner by the county guard." When seized he concealed his real name, and was committed to Dorchester gaol as Thomas Pitts, and there being no evidence against him he was acquitted. Before Tutchin could leave the prison, Jeffreys learned who he really was, and determined to be revenged for the deception that had been practised. He set the gaoler to endeavour to extort a confession from the acquitted prisoner, but in vain; and Tutchin was once again brought into court, when Jeffreys, "not daring to indict him again for rebellion, pretended that the crime of changing his name deserved a severe sentence," and sentenced him to remain in prison for seven years; and further ordered, that once every year he should be whipped through all the market towns of Dorsetshire; that he should pay a fine of 100 marks to the King, and find security for his good behaviour during life.

"It was observable," continues the historian of the trial, "when this sentence was passed upon Tutchin, that the ladies in the court, of whom there were a great many, all burst out a-crying, but Jeffreys turning towards them, said, 'Ladies, if you did but know what a villain this is, as well as I do, you would say this sentence is not half bad enough for him.'"

Upon passing the sentence, the Clerk of the Arraigns stood up and said, "My Lord, there are a great

many market towns in this county; the sentence reaches to a whipping about once a fortnight, and he is a very young man."

"Aye," replied Jeffreys, "he is a young man, but he is an old rogue, and all the interest in England shall not reverse the sentence I have passed upon him."

"Certainly," says the reporter of this specimen of judicial conduct during the well-named bloody assize, "no devil incarnate could rage, no Billingsgate woman could scold worse than this judge did at this young gentleman whilst he was at the bar. He called him a thousand rogues and villains, told him he was a rebel from Adam, that never any of his family had the least loyalty; and, continued he, 'I understand you are a wit and a poet; pray, sir, let you and I cap verses.' Tutchin smiled, and replied, he knew on what ground and when he was over-matched." Lying under the barbarous sentence, his friends advised Tutchin to sue for a pardon, but he refused to do so, and with his own hand drew up a petition to the King, who was then at Winchester. It was duly presented, and the Court and the King, it was said, esteemed it a barbarous sentence, but all the answer that could be got was from Lord Sunderland, that Mr Tutchin must wait with patience. The next paragraphs of the narrative of this interesting case throw a curious light upon the customs and morality of times when this News-writer lived:—

Mr. Tutchin hereupon endeavoured to get a pardon from the people who had grants of lives, many of them 500, some 1000, more or less, according as they had interest in the King; but Jeffreys would not so much as hear his name mentioned, and the sentence was ordered to be executed.

Four or five days before the execution of the sentence, a brother-in-law of Mr. Tutchin, a physician, persuaded him to take a dose of physic to make himself sick, by which means the execution might be put off, and perhaps in that time some means might be found for his enlargement: He took the dose, and in three or four days the small-pox came out very thick upon him, no man ever had them to a higher degree; and in that condition he lay by himself in prison, nobody to look after him but his fellow-prisoners, for there being a pestilential distemper in the prison, of which some scores died every week, the magistrates of the town would not suffer any communication with the prisoners.

Mr. Tutchin lying in this miserable condition, and his life being despaired of, his friends worked the easier with Jeffreys to get the sentence reversed, which some people would have believed a sign of repentance in Jeffreys, had he not taken the money himself. After Mrs. Tutchin had done this last kind office for her son, she sickened of the small pox and died, his brother and two sisters fell sick of the same distemper; so that when Mr. Tutchin had friends allowed to come to him, like Job's comforters, they brought him the tidings that his mother was dead, and all the relations he had in the world were a-dying, and that they had contracted for a pardon for more money than he was worth, for a life which he never valued. So he was popt into a pardon amongst others; for it was usual at that time for one courtier to get a pardon of the King for half a score, and then, by the assistance of Jeffreys, to augment the sum to four-score or an hundred, and so this unfortunate gentleman fortunately got out of his broil.

But we must not leave Mr. Tutchin here, though what afterwards we shall say of him, does not relate to what was transacted in the west, yet it may not be amiss to show how the providence of God does often change the face of things, and alter the circumstances and conditions of men, so that those who boast of their power, and exercise their authority with the greatest severity, many times become the scorn and contempt of those they have triumphed over. Who could have thought, when Jeffreys past that sentence on Mr. Tutchin in the west,

that ever Mr. Tutchin should see that wickèd judge a prisoner, apprehended by the injured people, and committed by a tool of his own party? Yet it so happened.

For Jeffreys, endeavouring to make his escape beyond sea in a sailor's habit, was discovered by one to whom he had done some acts of injustice, and was taken in Anchor-and-Hope Alley, in Wapping, and by the mob carried before the instrument of Popery, Sir J—— C——, then Lord Mayor of the city of London, and by him committed to the Tower.

Mr. Tutchin, hearing of this, went to give his Lordship a visit: who did not know Mr. Tutchin at first, he being much altered with the small pox; but Jeffreys, understanding who he was, told him he was glad to see him; Mr. Tutchin answered he was glad to see him in that place. Jeffreys returned, that time and place happened to all men, and that when a man was born, he knew not what death he should die, nor what his circumstances should be in this life, and abundance of such cant; but added, that he had served his master very faithfully, according to his conscience. Mr. Tutchin asked him, where his conscience was when he passed that sentence on him in the west? Jeffreys said, you were a young man, and an enemy to the Government, and might live to do abundance of mischief; and it was part of my instructions to spare no man of courage, parts, or estate; but withal added, that his instructions were much more severe than the execution of them, and that at his return he was snubbed at Court for being too merciful. So, after he had treated Mr. Tutchin with a glass of wine, Mr. Tutchin went away.

Soon after this, Jeffreys had a barrel of oysters sent him to the Tower, which he caused to be opened, saying, he thanked God he had some friends left. But when the oysters were tumbled out on the table, a halter came out with them, which made him change his countenance, and so palled his stomach, that he could eat none of them. This was confidently reported to be done by Mr. Tutchin: but I having heard him protest that he was not in the least concerned therein, we must believe it to be done by another hand.

At the end of the year 1704, Tutchin was tried at the Guildhall, London, for a libel contained in his Paper, the *Observator*, when the Attorney General, Sir E. Northey, in his address for the prosecution, said the Crown laid the information against Mr. Tutchin "for a few of his observations of the many he hath writ. It is a great while that he has done it," urged this legal functionary, "and it has been the great indulgence of the Government that he has not been prosecuted before. He has been taken notice of by the House of Commons, and been before the Secretary of State, where he has been admonished to take care of what he should write; but he would not take warning." The trial proceeded, the printer of the Paper, John How, giving evidence against Tutchin. This witness said that the *Observator* was usually published weekly, but sometimes oftener, the first number being issued in April, 1702; that about 266 numbers had been published; and that Tutchin was the writer of them all. The counsel for the accused took some legal objections to the case for the prosecution, and though the jury found a partial verdict against him, the News-writer escaped from the clutches of the law in this instance, and continued to labour as a journalist. Tutchin was abused by Swift as the writer of the *Observator*—a sufficient proof that the Paper did good service to the party it supported; but finding that his efforts could not be stayed by written arguments, his enemies availed themselves of brute force. One night the unfortunate News-writer was waylaid in the night, and beaten so cruelly that he died of the wounds thus inflicted.

One of the libels (and they all now seem very harmless) charged against Tutchin, referred to the case of another sufferer for freedom of printed thought—Daniel Defoe.

The author of Robinson Crusoe was a distinguished member of the corps of early political writers of this period. In 1700 he published his satire *The True-Born Englishman*, and two years afterwards paid the penalty of open-speaking, by being sentenced to the pillory for publishing a pamphlet entitled *A Short Way with the Dissenters*. Fines and imprisonment could not, however, destroy his energies. In Newgate he matured his plans for further literary labours; he made the pillory the subject of an ode; and, whilst yet in gaol, started his *Review*, which he kept up for nine years.

The House of Commons from time to time continued to use its power against any person who printed anything regarded as injurious to its dignity. In 1706 the Sergeant-at-Arms apprehended David Edwards, who had printed *The Memorial of the Church of England* which the Queen had complained of, but the House was unable to discover the writer of the offensive publication. In the following year the House expelled Mr. Asgill, one of their own members, because he had written a treatise some passages of which they regarded as highly profane, and reflecting on the Christian religion. This work they ordered to be burnt by the hangman. In 1709 Dr. Sacheverel's publications were condemned by Parliament, and ordered to be burnt.

The many circumstances, however, which had sti-

mulated the production of Journals had not, up to this period, induced the appearance of a *daily* Paper. That was a step in advance reserved for the reign when the victories of Marlborough and Rooke, the political contests of Godolphin and Bolingbroke, and the writings of Addison, Pope, Prior, Congreve, Steele, and Swift created a mental activity in the nation which could not wait from week to week for its News. Hence the appearance of a morning Paper in 1709, under the title of the Daily Courant. When this was offered to the English people there were eighteen other Papers published in London, and among their titles we find a British Apollo, a Postman, an Evening Post, a General Postscript, and a City Intelligencer. The editor of the Evening Post of September 6, 1709, reminds the public that “there must be three or four pounds a-year paid for written News,” &c.—that is to say, for the News-letters which thus seem to have been still competing with public prints—whilst the Evening Post might be had for a much more moderate sum.

Not only in frequency of appearance did the Newspapers of Queen Anne’s day surpass their predecessors : they began to assume a loftier political position, and to take on a better outward shape—though still poor enough in this respect. The very earliest Newspapers only communicated intelligence without giving comment ; subsequently we find Papers giving political discussions without News. In the publications subsequent to 1700 we find these two elements of a journal more frequently united. Mr. Hallam is inclined to regard this as the period when what he terms “regular Newspapers” began to obtain

political importance in our constitutional system. He says, "The publication of regular Newspapers partly designed for the communication of intelligence, partly for the discussion of political topics, may be referred upon the whole to the reign of Anne, when they obtained great circulation, and became the accredited organs of different factions."*

The year that produced the first daily Newspaper in England, gave birth also to the first of a group of publications which had many of the characteristic features of Journals, and were at the time regarded as such, though they cannot now be called Newspapers. They appeared at stated intervals, occasionally gave intelligence of passing events, and comments on passing events, contained advertisements, and, when the stamp was imposed on Newspapers, suffered the infliction of that impost equally with their more political rivals. They were—The Tatler, started in 1709; the Spectator, in 1711; the Guardian, and the Englishman, in 1713; and the Freeholder, in 1715. These, though now seen in compact volumes, were originally issued in separate sheets, as their numbering indicates; and they contained, in addition to the elegantly-written papers now preserved, various items of News and advertisements, as the originals in the British Museum Library bear witness. A list of noble names is suggested by the mention of these works. Addison and Steele, Swift and Bolingbroke, come at once into the arena, as mental combatants in the written political strife of the period. Swift, when he took side with the Tories, used his power of language and ready pen

* Hallam's Constitutional History.

in the paper started by that party under the title of the *Examiner*;* Bolingbroke wrote in the same journal; whilst the more elegant and familiar Addison, and the ready and versatile Steele, devoted their efforts to the service of the *Tatler*, the *Spectator*, and the *Guardian*. The *Freeholder*, which had an almost exclusively political object, was the sole production of Addison, who sought by its influence to aid the Government, and to neutralize some of the injury inflicted on his party by the *Examiner* of his political antagonists.

Some pleasant Newspaper sketches are to be found scattered through the pages of these publications. The *Spectator*† gives us a portrait of the quidnunc of that day, drawn by himself:—

I wonder that, in the present situation of affairs, you can take pleasure in writing anything but News; for, in a word, who minds anything else? the pleasure of increasing in knowledge, and learning something new every hour of life, is the noblest entertainment of a rational creature. I have a very good ear for a secret, and am naturally of a communicative temper; by which means I am capable of doing you great services in this way. In order to make myself useful, I am early in the anti-chamber, where I thrust my head into the thiek of the press, and catch the News at the opening of the door, while it is warm. Sometimes I stand by the beef-eaters, and take the buzz as it passes by me. At other times I lay my ear close to the wall, and suek in many a valuable whisper, as it runs in a straight line from corner to corner. When I am weary with

* Hallam says, "Bolingbroke's letter to the *Examiner*, in 1710, excited so much attention, that it was answered by Lord Cowper, then Chancellor, in a letter to the *Tatler*."—*Somer's Tracts*, Vol. XIII., p. 75. Where Sir Walter Scott justly observes, that the fact of two such statesmen becoming the correspondents of periodical publications shows the influence they must have acquired over the public mind.

† No. 625, for Friday, Nov. 26, 1714.

standing, I repair to one of the neighbouring coffee-houses, where I sit sometimes for a whole day, and have the News as as it comes from Court fresh and fresh. In short, Sir, I spare no pains to know how the the world goes. A piece of News loses its flavour when it hath been an hour in the air. I love, if I may so speak, to have it fresh from the tree; and to convey it to my friends before it is faded. Accordingly my expenses in coach-hire make no small article: which you may believe, when I assure you, that I post away from coffee-house to coffee-house, and forestall the Evening Post by two hours. There is a certain gentleman, who hath given me the slip twice or thrice, and hath been beforehand with me at Child's. But I have played him a trick. I have purchased a pair of the best coach-horses I could buy for money, and now let him outstrip me if he can. Once more, Mr. Spectator, let me advise you to deal in News. You may depend upon my assistance. But I must break off abruptly, for I have twenty letters to write.

Addison dilates upon the strong appetite of his cotemporaries, in 1712, for Newspapers. "There is no humour in my countrymen," he says, "which I am more inclined to wonder at than their general thirst after News. There are about half-a-dozen ingenious men, who live very plentifully upon this curiosity of their fellow-subjects. They all of them receive the same advices from abroad, and very often in the same words; but their way of cooking it is so very different, that there is no citizen, who has an eye to the public good, that can leave the coffee-house with peace of mind before he has given every one of them a reading. These several dishes of News are so very agreeable to the palate of my countrymen, that they are not only pleased with them when they are served up hot, but when they are again set cold before them, by those penetrating politicians, who oblige the public with their reflections

and observations upon every piece of intelligence that is sent us from abroad. The text is given us by one set of writers, and the comment by another. But notwithstanding, we have the same tale told us in so many different Papers, and, if occasion requires, in so many articles of the same Paper; notwithstanding, in a scarcity of foreign posts, we hear the same story repeated by different advices from Paris, Brussels, the Hague, and from every great town in Europe; notwithstanding the multitude of annotations, explanations, reflections, and various readings which it passes through, our time lies heavy on our hands till the arrival of the fresh mail: we long to receive further particulars, to hear what will be the next step, or what will be the consequences of that which we have already taken. A westerly wind keeps the whole town in suspense, and puts a stop to conversation. The general curiosity has been raised and inflamed by our late wars, and, if rightly directed, might be of good use to a person who has such a thirst awakened in him."

This appetite for novelty, if it cannot be satisfied by the perusal of books, Addison proposes to satisfy by the preparation of a Newspaper containing home intelligence in lieu of the foreign News, which had become scarce since the conclusion of the war. In the humour of the following proposition,* we see the original of many jokes on the same subject which have been more recently published:—

MR. SPECTATOR.—You must have observed that men who frequent coffee-houses, and delight in News, are pleased with everything that is matter of fact, so it be what they have not

* Spectator, No. 452, for Friday, August 8th, 1712.

heard before. A victory, or a defeat, are equally agreeable to them. The shutting of a cardinal's mouth pleases them one post, and the opening of it another. They are glad to hear the French Court is removed to Marli, and are afterwards as much delighted with its return to Versailles. They read the advertisements with the same curiosity as the articles of public News; and are as pleased to hear of a piebald horse that is strayed out of a field near Islington, as of a whole troop that have been engaged in any foreign adventure. In short, they have a relish for everything that is News, let the matter of it be what it will; or, to speak more properly, they are men of a voracious appetite, but no taste. Now, Sir, since the great fountain of News, I mean the war, is very near being dried up; and since these gentlemen have contracted such an inextinguishable thirst after it; I have taken their case and my own into consideration, and have thought of a project which may turn to the advantage of us both. I have thoughts of publishing a daily Paper which shall comprehend in it all the most remarkable occurrences in every little town, village, and hamlet that lie within ten miles of London, or in other words, within the verge of the penny-post. I have pitched upon this scene of intelligence for two reasons; first, because the carriage of letters will be very cheap; and secondly, because I may receive them every day. By this means my readers will have their News fresh and fresh, and many worthy citizens who cannot sleep with any satisfaction at present, for want of being informed how the world goes, may go to bed contentedly, it being my design to put out my Paper every night at nine o'clock precisely. I have already established correspondences in these several places, and received very good intelligence.

By my last advices from Knightsbridge I hear, that a horse was clapped into the pound on the third instant, and that he was not released when the letters came away.

We are informed from Pankridge,* that a dozen weddings were lately celebrated in the mother church of that place, but are referred to their next letters for the names of the parties concerned.

* *Paneras*, then famous for weddings.

Letters from Brumpton advise, that the widow Blight had received several visits from John Milldew, which affords great matter of speculation in those parts.

By a fisherman who lately touched at Hammersmith, there is advice from Putney, that a certain person, well known in that place, is like to lose his election for church-warden; but this being boat news, we cannot give entire credit to it.

Letters from Paddington bring little more, than that William Squeak, the sow-gelder, passed through that place the fifth instant.

They advise from Fulham, that things remained there in the same state they were. They had intelligence, just as the letters came away, of a tub of excellent ale just set abroad at Parsons Green; but this wanted confirmation.

I have here, Sir, given you a specimen of the News with which I intend to entertain the town, and which, when drawn up regularly in the form of a Newspaper, will, I doubt not, be very acceptable to many of those public-spirited readers who take more delight in acquainting themselves with other people's business than their own. I hope a Paper of this kind, which lets us know what is done near home, may be more useful to us than those which are filled with advices from Zug and Bender, and make some amends for that dearth of intelligence, which we may justly apprehend from times of peace.

Another correspondent suggests to Mr. Speetator, "that a News-letter of whispers, written every post, and sent about the kingdom after the same manner as that of Mr. Dyer,* Mr. Dawkes, or other epistolary historians, might be highly gratifying to the public, as well as beneficial to the author." Addison describes, in his Paper for Dec. 3, 1712, a visit to the Motteux, the translator of Don Quixote, and editor of a journal, who at that time had a warehouse for the sale of tea and Indian wares in the city.

Swift and Bolingbroke did not fail to rouse the ire

* See Tatler with notes, No. 18, note on Dyer's Letters, &c.

of their opponents by the violence of their attacks. Swift had already written in the *Tatler*,* when, at the request of Harley, he undertook (May 10, 1710) to conduct the *High Tory Examiner*, which had then appeared every week for some three months; its object being the defence of the ministry. He wrote in that Paper from the 13th to the 46th number. This last was written partly by Swift, and partly by Mrs. Manley. In the journal to Stella, he speaks of some subsequent papers as having been written by an "understrap" and corrected by himself, but he had the credit of the the papers a long time after his connexion with it had ceased, and Oldisworth, in exonerating him two years later, expressed the satisfaction he himself felt that his writings should be taken for those of so great a man. The *Guardian*† complains of the *Examiner* having distorted one of his papers about ants into a political satire; and, shortly afterwards, proposes to show that panegyric is not the forte of the writer in the *Tory Paper*. In another number it is declared that the *Examiner* calumniates as freely as he commends, and that the invectives of that journal are as groundless as its panegyrics. The *Freeholder* follows on the same side. In it the Paper which had become identified with the name of Swift, was described‡ as sacrificing the honour

* *Tatler*, June 18, 1709.

† No. 150, Sept. 14. A passage in this same number indicates the sum usually paid for reading the Newspapers in the coffee-houses of the period. The *Guardian* describes a choleric old gentleman finding fault with what he had been reading—"He lost his voice a second time, in the extremity of his rage; and the whole company, who were all of them Tories, bursting out into a sudden laugh, *he threw down his penny in great wrath*, and retired with a most formidable frown."

‡ *Guardian*, Nos. 41, 53, &c.

and reputation of those who opposed its political principles. Steele signs his name to one letter,* in which he objects to the modes of attack adopted by his assailants. "When a satirist," he says, "feigns a name, it must be the guilt of the person attacked, or his being notoriously understood guilty before the satire was written, that can make him liable to come under the fictitious appellation. But, when the license of printing the letters of people's real names is used, things may be affixed to men's characters, which are in the utmost degree remote from them." Addison† also speaks very plainly his opinion of the Tory Journal. "The Examiner was a Paper, which was the favourite work of the party. It was ushered into the world by a letter from a Secretary of State, setting forth the great genius of the author, the usefulness of his design, and the mighty consequences that were to be expected from it. It is said to have been written by those among them whom they looked upon as their most celebrated wits and politicians, and was dispersed into all quarters of the nation with great industry and expense. Who would not have expected that at least the rules of decency and candour would be observed in such a performance? But, instead of this, you saw all the great men who had done eminent services to their country but a few years before, draughted out one by one, and baited in their turns. No sanctity of character, or privilege of sex, exempted persons from this barbarous usage. Several of our prelates were the standing marks of public raillery, and many ladies of the first quality branded by name, for matters

* Guardian, No. 53.

† Freeholder, No. 19.

of fact which, as they were false, were not heeded, and if they had been true were innocent. The dead themselves were not spared."

The influence of this continued war of words upon the people is described in a subsequent number of the *Freeholder*. The whole nation had become politicians. "There is scarce any man in *England*, of what denomination soever, that is not a free-thinker in politics, and hath not some particular notions of his own, by which he distinguishes himself from the rest of the community. Our island, which was formerly called a nation of saints, may now be called a nation of statesmen. Almost every age, profession, and sex among us, has its favourite set of ministers, and scheme of government. Our children are initiated into factions before they know their right hand from their left. They no sooner begin to speak, but Whig and Tory are the first words they learn. They are taught in their infancy to hate one half of the nation; and contract all the virulence and passion of a party, before they come to the use of their reason." Nor are the causes of all this left unnoticed. "Of all the ways and means by which this political humour hath been propagated among the people of Great Britain, I cannot single out any so prevalent and universal as the late constant application of the press to the publishing of state matters. We hear of several that are newly erected in the country, and set apart for this particular use. For, it seems, the people of Exeter, Salisbury, and other large towns, are resolved to be as great politicians as the inhabitants of London and Westminster; and deal out such News of their

own printing, as is best suited to the genius of the market people, and the taste of the country." Here is a notice of the rise of country Newspapers; and, directly after, we find a reference to the journalists of that day:—"As our News-writers record many facts, which, to use their own phrase, 'afford great matter of speculation,' their readers speculate accordingly, and by their variety of conjectures, in a few years become consummate statesmen; besides, as their Papers are filled with a different party-spirit, they naturally divide the people into different sentiments, who generally consider rather the principles, than the truth of the News-writer. This humour prevails to such a degree, that there are several well-meaning persons in the nation, who have been so misled by their favourite authors of this kind, that, in the present contention between the *Turk* and the Emperor, they are gone over insensibly from the interests of Christianity, and become well-wishers to the Mahometan cause. In a word, almost every News-writer has his sect, which (considering the natural genius of our countrymen, to mix, vary, or refine in notions of state) furnishes every man, by degrees, with a particular system of policy. For, however any one may concur in the general scheme of his party, it is still with certain reserves and deviations, and with a salvo to his own private judgment. Among this innumerable herd of politicians, I cannot but take notice of one set, who do not seem to play fair with the rest of the fraternity, and make a very considerable class of men. These are such as we may call the after-wise, who, when any project fails, or hath not had its desired effect, foresaw

all the inconveniences that would arise from it, though they kept their thoughts to themselves until they discovered the issue. Nay, there is nothing more usual than for some of these wise men, who applauded public measures before they were put into execution, to condemn them upon their proving unsuccessful. The dietators in coffee-houses are generally of this rank, who often gave shrewd intimations that things would have taken another turn, had they been members of the cabinet."

The writers of the Tory Papers treated their Whig opponents with a mingled torrent of wit, learning, and abuse; and, for a long time, this contest of words was continued with unabated spirit, but the balance of popularity turning somewhat in favour of the Whig party, the ministers used their power in Parliament to bring about a change in the law. The first proposition was either to renew the licensing act, or to compel authors to drop the anonymous mask and sign their names to their writings. Both these proposals fell to the ground. Swift, who wrote anonymously, opposed the threatened changes in the statute book, and not without reason, for his pen had already brought others into difficulties which he would not willingly have braved in his own person. An instance of this had occurred in 1711, when the Earl of Nottingham complained in the House of Lords of "a speech printed and published contrary to a standing order of the House." This speech was written by Swift, and the unfortunate printer who put it into type was taken prisoner, and kept in custody for some time. In his journal to Stella the affair is thus mentioned by the

Dean:—"Dec. 18, 1711. There was printed a Grub Street speech of Lord Nottingham, and he was such an owl to complain of it in the House of Lords, who have taken up the printer for it. I heard at Court that Walpole, a great Whig member, said that I and our whimsical club writ it at one of our meetings, and that I should pay for it,"

When Anne had been ten years on the throne she sent a message to the Parliament, which, amongst other things, stated that great license was taken "in publishing false and scandalous libels, such as are a reproach to any Government;" and recommending the Parliament "to find a remedy equal to the mischief." In their reply, the Commons promised to do their utmost to cure the "abuse of the liberty of the press;" and accordingly, on the 12th of Feb., 1712, they unanimously resolved that they would on that day se'nnight, in a committee of the whole House, consider the difficult question. This promised consideration, nevertheless, was afterwards put off from time to time.* In the month of April, however, the question came again before the House in a more serious shape. The editor of the *Daily Courant* (April 7, 1712,) had ventured to print the Memorial of the States-General, and this being brought under the notice of Parliament, the publication was declared to be a scandalous reflection upon the resolutions of the House; and "Mr. Hungerford having reported that Samuel Buckley, the writer and printer of the *Daily Courant*, had owned the having translated and printed the said Memorial," the Sergeant-at-Arms was directed

* *Parl. Hist.*, Vol. VI., p. 1092.

to take the delinquent into custody. On the following day, (April 12,) the House adopted some strong resolutions on the subject, but there was evidently an active party opposed to any direct attempt to "cramp overmuch the liberty of the press," as Swift expresses it;* and, instead of an open and direct law imposing the desired restraints, a more insidious and more fatal plan was carried out. "Some members in the grand committee on ways and means," says the Parliamentary historian, "suggested a more effectual way for suppressing libels, viz., the laying a great duty on all Newspapers and pamphlets." This was done. To a long act which relates to soap, paper, parchment, linens, silks, calicoes, lotteries, and other matters, a few short clauses were added, and the press was crippled at once. These clauses put a stamp duty of a halfpenny on every printed half sheet or less, the tax rising to a penny on a whole sheet;† and imposed besides a duty of twelvecence on every adver-

* See Swift's Four Last Years.

† Pamphlets and Newspapers of half a sheet or less had imposed on them a tax of a halfpenny, and larger than half a sheet, and not exceeding one sheet a penny; 10 Anne, c. 19, § 101; *Pickering's Statutes*, Vol. XII.; 11 George I., c. 8, § 14. And a halfpenny, 30 George II., c. 19, § 1. Larger than one sheet, and not exceeding six in octavo, or twelve in quarto, or twenty in folio, pay 2s. for every sheet in one printed copy; 10 Anne, c. 19, § 104, 105. See those acts for other regulations. 11 George I., c. 8, § 13, 14, enacts what Newspapers shall not be deemed pamphlets. A Duty of twelvecence on every advertisement in the Newspapers was imposed, 10 Anne, c. 19, § 101; Vol. XII., *Pickering's Stat.* An additional duty, 30 George II., c. 19, § 1. Penalty of £50 on persons advertising a reward, with no questions asked, for the return of things stolen or lost, and on the printer, 25 George II., c. 36; 28 George II., c. 19; see also 29 George III., c. 50, § 11, 12.

tisement. These taxes have never been repealed, and under their increased amount, and consequently increased pressure, the Newspapers suffer at this hour. The duty on paper has affected books as well as journals, and perhaps no one change in the excise duties would be more generally beneficial to the country than the removal of these taxes upon knowledge.*

The effect of the halfpenny stamp upon the Papers of Queen Anne's day was remarkable. Many were immediately stopped; whilst several of the survivors were united into one publication. Amongst those that suffered under the pressure of the new tax must be included the *Spectator*—the price of which was necessarily increased. This change diminished its sale, and in the following year (1713) it was discontinued. Swift, writing to Stella,† says "Do you know that all Grub Street is ruined by the Stamp Act."

* Mr. Ewart, M.P., in one of his speeches on the paper duty, put the question thus:—He held it to be a most objectionable tax on various grounds. Its levy caused much vexatious interference. An account must be taken of the daily produce of the paper manufacturer. The number of sheets in every ream must be given. Every ream must be labelled. Every label must be written on. If the paper be afterwards destined for exportation, the label must be removed. All this was interference; and it was a tax of the most intolerable kind in this age, because it was a *tax upon time*. To tax the *time* of the trader, was one of the greatest fiscal offences that could be committed. Yet, in all these little matters, the workmen must attend the steps of the excise officer. A paper manufacturer, with whom he was acquainted, was lately showing his works to an enlightened foreigner, the owner of a paper manufactory in the Roman States. Entering a room of the establishment, they found two men at work. The Italian learnt with astonishment that these were officers of the Government. He paid, he said, a direct tax of £7 10s. in his own country and his trade was free.

† August 7, 1712.

The influence of the pen having shown itself beyond denial, the authorities were glad to extend their favour to some of those who wielded this new source of power. Steele, who had commenced life as a soldier, laid down the sword for a quill, and having proved himself an able Journalist, and ready and versatile writer, was rewarded with the situation of Commissioner of the Stamp Office. This appointment held out the hope of something still better in perspective, and, subsequently a seat in Parliament being within reach, he offered himself as a candidate, and was elected. This step rendered it necessary to resign his post in the Stamp Office, and the wit and author showed his constitutional negligence in money matters by giving up a substantial reality for the honour of adding M.P. to his name. For power and for income he still wrote in the public Papers; but having, in the *Englishman*, and in the *Crisis*, ventured upon forbidden ground, the dignity he had made so large a sacrifice for, was snatched from him. The history and the animus of these proceedings are both shown by a few passages in the Parliamentary history.* “Notwithstanding all the care and industry used by the Court managers in the late elections, many of the professed enemies of the present ministers were chosen. But none of these were so obnoxious to the men in power as Mr. Steele, who in several public writings had arraigned the late measures with great boldness, as one who was encouraged, and sure to be supported by the whole Whig party. It was therefore agreed by the ministers (how much soever they differed in other matters) to exert

* Vol. VI., p. 1265.

their endeavours to remove him from his seat in Parliament. A petition, which was lodged against his election, happening to be the 17th of that kind, and therefore not like to come on this session, it was resolved to take a shorter way, and attack him about some of his late political writings. Mr. Hungerford, a noted Commons' lawyer, who had been expelled the House for bribery in the reign of king William, moved, on the 11th of March, to take into consideration that part of the Queen's Speech which related to the suppressing seditious libels; and complained, in particular, of several scandalous papers lately published under the name of Richard Steele, Esq., a member of that House. He was seconded by Mr. Auditor Foley, a near relation to the Lord Treasurer, who suggested, 'that unless means were found to restrain the licentiousness of the press, and to shelter those who had the honour to be in the Administration from malicious and scandalous libels; they, who by their abilities are best qualified to serve their Queen and country, would decline public offices and employments.'* This was supported by

* "Dear Prue,—I send this to let you know that Lord Halifax would not let me go to the House, but thought it would be better to have the first attack made in my absence. Mr. Foley was the gentleman who did me that honour; but they could not bring it to bear so far as to obtain an order for my attending in my place, or anything else to my disadvantage, than that all pamphlets are to come on Saturday. Lord Halifax, in the House of Lords, told the ministry, that he believed, if they would recommend the Crisis to Her Majesty's perusal, she would think quite otherwise of the book than they do. I think they have begun very unhappily and ungracefully against me; and I doubt not but God will turn their malice to the advantage of the innocent." Steele to his Wife, March 11, 1713-14. See his Epistolary Correspondence by Nichols, Vol. I., p. 318., London, 1809.

Sir William Wyndham, who added, 'That some of Mr. Steele's writings contained insolent injurious reflections on the Queen herself, and were dictated by the spirit of rebellion.' The next day, Auditor Harley (the Lord Treasurer's brother) made a formal complaint to the House against certain paragraphs of the three printed pamphlets, which had given most offence to the Court; 'The Englishman of January 19, The Crisis and the last Englishman,' all said to be written by Richard Steele, Esq.; which pamphlets being brought up to the table, it was ordered, that Mr. Steele should attend in his place the next morning. This brought a great concourse of members and spectators to the House; and Mr. Steele attending, several paragraphs, contained in the pamphlets complained of, were read; after which, Mr. Foley, Mr. Harley, and some other members, severely animadverted upon the rancour and seditious spirit conspicuous in those writings. Mr. James Craggs, jun., standing up to speak in Mr. Steele's behalf, he was prevented by a confused noise of several voices calling to order; intimating, that, according to the order of the day, Mr. Steele was to be heard himself in his place. Upon this, Mr. Steele said, 'that, being attacked on several heads without any previous notice, he hoped the House would allow him, at least a week's time to prepare for his defence.' Auditor Harley having excepted against so long a delay, and moved for adjourning this affair to the Monday following, Mr. Steele, to ridicule his two principal prosecutors, Foley and Harley, who were known to be rigid Presbyterians, though they now sided with the High Church, assumed their sanctified countenance, and owned, 'in

the meekness and contrition of his heart, that he was a very great sinner; and hoped the member who spoke last, and who was so justly renowned for his exemplary piety and devotion, would not be accessory to the accumulating the number of his transgressions, by obliging him to break the sabbath of the Lord by perusing such profane writings as might serve for his justification.' This speech, spoken in a canting tone, having put the generality of the assembly in good humour, Mr. Steele carried his point; and the further consideration of the charge against him was deferred for a week, by which time it was expected that Sir Richard Onslow, Mr. Hampden, Mr. Lechmere, and some other leading members of the Whig party who were absent, would be come to town."

"On the 18th," continues the same authority, "the day appointed for Mr. Steele's trial, the courtiers thought fit to get the House cleared from all strangers; which done, and Mr. Steele appearing in his place, Mr. Auditor Foley moved that, before they proceeded any farther, Mr. Steele should declare whether he acknowledged the writings that bore his name. Hereupon Steele owned, 'he wrote and published the said pamphlets, and the several paragraphs there which had been complained of and read to the House, with the same cheerfulness and satisfaction with which he had abjured the Pretender.' Then, a debate arising upon the method of proceeding, Mr. Auditor Foley proposed that Mr. Steele should withdraw; but, after several speeches, it was carried, without dividing, that he should stay, in order to make his defence. He desired that he might be allowed to answer to what

might be urged against him, paragraph by paragraph ; but, though he was powerfully supported by Mr. Robert Walpole, General Stanhope, the Lord Finch, eldest son to the Earl of Nottingham, and the Lord Hinchinbroke, son to the Earl of Sandwich, yet Mr. Steele's accusers insisted, and it was carried 'that he should proceed to make his defence, generally, upon the charge given against him.' Mr. Steele proceeded accordingly to make his defence, being assisted by Mr. Joseph Addison, who sat near him to prompt him upon occasion ; and, for near three hours, spake to several heads, extracted out of the three pamphlets above-mentioned, (which had been given in print to all the members,) with such a temper, modesty, unconcern, easy and manly eloquence, as gave entire satisfaction to all who were not inveterately prepossessed against him."

In Coxe's Walpole, Steele is declared to have spoken "with a temper, modesty, and eloquence quite unusual to him." After this three hour's oration he withdrew.

Hereupon a warm debate ensued. Walpole asked the House "why the author was answerable in Parliament for the things which he wrote in his private capacity ? and, if he is punishable by law, why is he not left to the law ? By this mode of proceeding, Parliament, which used to be the scourge only of evil ministers, is made by ministers the scourge of the subject. The ministers," he added, "are sufficiently armed with authority ; they possess the great sanction of rewards and punishments, the disposal of the privy purse, the grace of pardoning, and the power of con-

demning to the pillory for seditious writings; powers consistent with, and naturally arising from their exalted situation, and which they cannot too jealously guard from being perverted to answer indirect or criminal purposes. In former reigns, the audacity of corruption extended itself only to judges and juries; the attempt so to degrade Parliament was, till the present period, unheard of. The liberty of the press is unrestrained; how then shall a part of the Legislature dare to punish that as a crime which is not declared to be so by any law framed by the whole? and why should that House be made the instrument of such a detestable purpose."

There is an old story told of an M.P., who described a speech as "Beautiful, beautiful, sir; it absolutely brought the tears into my ears." "But your vote, sir, was against the motion of the speaker who so affected you." "My vote! Oh, yes, feelings are feelings, sir; but my vote! that's quite another matter." And so it proved in poor Steele's case. The Tory ministers admired the defence of Steele and the pleading of Walpole, but they used their majority, and Steele was expelled because he was a popular Whig writer for the public press.

There is an interesting anecdote recorded of the debate on this expulsion of an author from the House of Commons. Lord Finch, the Earl of Nottingham's son, spoke in favour of Steele out of gratitude for Steele's defence in the *Guardian* of Finch's sister, who had been assailed by the Examiner:—

In a paper of his in the *Guardian*, Steele published a spirited defence of Lady Charlotte Finch, daughter of the Earl of Nottingham, and afterwards Duchess of Somerset, who had

been treated with rudeness and ill-manners by an anonymous writer in the *Examiner*, for alleged misbehaviour in church; and won by this the heart of her brother, probably predisposed in favour of an amiable man, and, it may be, attached to him by an antecedent friendship. Be this as it may, when the question about Steele's expulsion was agitated in the House of Commons, Lord Finch stepped forward, and made attempts to speak in Steele's behalf; but being embarrassed by an ingenuous modesty, and over-deference to an assembly in which he had not yet been accustomed to speak, he sat down in visible confusion, saying, so as to be over-heard, "It is strange I can't speak for this man, though I could readily fight for him." His words being whispered from one to another, operated in an instant like electrical fire, and a sudden burst from all parts of the House of "Hear him!" "Hear him!" with ineffable marks of encouragement, brought Lord Finch again on his legs, who, with astonishing recollection, and the utmost propriety, spoke a speech on the occasion, in which, as it was related to this writer, in the language of the theatre, "there was not a word which did not tell." The eyes of the whole company were upon him; and though he appeared to have utterly forgot what he rose up to speak, yet the generous motive, which the whole company knew he acted upon, procured him such an acclamation of voices to hear him, that he expressed himself with a magnanimity and clearness, proceeding from the integrity of his heart, that made his very adversaries receive him as a man they wished their friend. Such was the noble motive which first produced this nobleman's natural eloquence; the force of which was charming, and irresistible, when exerted in the protection of the oppressed.*

One of the papers for which Steele was thus persecuted is said not to have been written by him, but by a Mr. Moore, a conveyancer of the Inner Temple.

The temper which prompted this attack on a public writer in the House of Commons appears to have

* Nicholl's *Epistolary Correspondence of Steele*, p. 328—332, in *Parl. Hist.*

been followed out with a strict hand by the executive officers of the time. At the Rochester Assizes, in 1719, one of the judges, Sir Littleton Powys, having tried a clergyman and other persons for collecting money at a charity sermon, wrote afterwards a letter to Lord Chancellor Parker, on the subject of his proceedings, in the course of which he says:—"I declared in all my charges in this circuit, as I did the two last terms at Westminster, that the number of base libels and seditious Papers is intolerable, and that now a quicker course will be taken about them; for that now the Government will not be so much troubling himself to find out the authors of them, but as often as any such Papers are found on the tables of coffee-houses, or other News-houses, the master of the house shall be answerable for such Papers, and shall be prosecuted as the publisher of them, and let him find out the author, letter-writer, or printer, and take care at his peril what Papers he takes in."

In the same year, John Matthews, a youth aged only nineteen, was tried at the Old Bailey (October 14, 1719) for publishing a Jacobite Paper in favour of hereditary right.* He is described as a conceited youngster, whose vanity led him to seek notoriety by issuing opinions which the majority of the people had grown out of. He was found guilty, and hanged at Tyburn.†

At this period it was that caricatures began to find their way into England, and, amongst other early

* The title of this production was, "Ex ore tuo te judico Vox Populi, Vox Dei."

† State Trials, Vol. XV.

channels for circulation, we discover them making an appearance in Newspapers. Read's Weekly Journal of November 1, 1718 (says Mr. Wright*), "gives a caricature against the Tories, engraved on wood, which is called 'an hieroglyphic,'—so little was the real nature of a caricature then appreciated. The earliest English caricature on the South Sea Company is advertised in the Post Boy of June 21, 1720, under the title of 'The Bubblers Bubbled, or the Devil take the Hindmost.' In the advertisement of another caricature, on the 29th of February in this year, called 'The World in Masquerade,' it is set forth as one of its great recommendations, that it was 'represented in nigh eighty figures.'"

One of the later Papers produced (1719) by Steele was entitled the Plebeian, and it is painful to remember that in its pages he opposed his former friend Addison. The latter contributed a few articles to a journal of this period, entitled The Old Whig. Two other writers now (1720-3) obtained a considerable degree of popularity by a series of contributions of democratic tone to the London and the British Journals, which were afterwards collected into volumes, under the title of Cato's Letters, and in that form ran through several editions. The authors of these political articles were Thomas Gordon, the translator of Tacitus, and Thomas Trenchard, a man of family and fortune. Another of their productions was The Independent Whig. In the thirty-second of Cato's Letters there are some strictures on the libellous character of a portion of the press, with an argument why those

* England under the House of Hanover, by T. Wright.

libels should not be made an excuse for a censorship : —“ As long as there are such things as printing and writing, there will be libels ; it is an evil arising out of a much greater good. And as to those who are for looking up the press because it produces monsters, they ought to consider that so do the sun and the Nile ; and that it is something better for the world to bear some particuar inconveniences arising from general blessings, than to be wholly deprived of fire and water. Of all sorts of libels, scurrilous ones are certainly the most harmless and contemptible. Even truth suffers by ill-manners, and ill-manners prevent the effect of lies. The letter in the *Saturday's Post* of the 27th past does, I think, exceed all the scurrilities which I have either heard or seen from the press or the pulpit. The author of it must surely be mad. He talks as if distraction were in his head, and a firebrand in his hand ; and nothing can be more false than the insinuations which he makes, and the ugly resemblances which he would draw. The Paper is a heap of falsehood and treason, delivered in the style and spirit of Billingsgate ; and indeed most of the enemies to His Majesty's person, title, and government have got the faculty of writing and talking as if they had their education in that quarter. However, as bad as that letter is (and, I think, there cannot be a worse), occasion will never be taken from scurrilous and traitorous writing to destroy the end of writing. We know that in all times there have been men lying upon the watch to stifle liberty, under a pretence of suppressing libels ; like the late King James, who, having occasion for an army to suppress Monmouth's

rebellion, would needs keep it up afterwards ; because, forsooth, other rebellions might happen, for which he was resolved to give cause. I must own that I would rather many libels should escape, than the liberty of the press should be infringed ; yet no man in England thinks worse of libels than I do, especially of such as bid open defiance to the present Protestant Establishment."

Trenchard died before Gordon, and the survivor of these partners in political journalism wrote a strong eulogium on his departed friend,—and then married his widow. Trenchard had been educated for the law, but, obtaining one of the Commissionerships of Forfeited Estates in Ireland, he abandoned the bar and never returned to it. By the death of an uncle he became independent in fortune, and he employed the leisure which wealth permitted him to enjoy in the open assertion of the political opinions which he thought likely to promote the public weal. The first object he had in view in the publication of Cato's Letters, was "to call for public justice upon the wicked managers of the fatal South Sea scheme ;" and the series was afterwards continued on various public and important subjects. Speaking of Trenchard's decease, Gordon says :—"His death is a loss to mankind. To me it is by far the greatest and most shocking that I ever knew, as he was the best friend that I ever had ; I may say the first friend. I found great credit and advantage in his friendship, and shall value myself upon it as long as I live. From the moment he knew me till the moment he died, every part of his behaviour to me was a proof of his affec-

tion for me. From a perfect stranger to him, and without any other recommendation than a casual coffee-house acquaintance, and his own good opinion, he took me into his favour and care, and into as high a degree of intimacy as ever was shown by one man to another. This was the more remarkable, and did me the greater honour, for that he was naturally as shy in making friendships as he was eminently constant to those which he had already made." In another place, Gordon says of his friend :—" He was not fond of writing ; his fault lay far on the other side. He only did it when he thought it necessary. He was sometimes several months together without writing one ; though, upon the whole, he wrote as many, within about thirty, as I did. He wrote many such as I could not write, and I many such as he would not. To him it was owing, to his conversation and strong way of thinking, and to the protection and instruction which he gave me, that I was capable of writing so many. He was the best tutor that I ever had, and to him I owed more than to the whole world besides. I will add, with the same truth, that, but for me, he never would have engaged in any weekly performance whatsoever. From any third hand there was no assistance whatever. I wanted none while I had him, and he sought none while he had me." Trenchard's last days are spoken of :—" He was very merry with those who wrote scurrilously against him, and laughed heartily at what they thought he resented most. Not many days before he died, he diverted himself with a very abuseful book written by a clergyman, and pointed personally at him ; by a

clergyman highly obliged to his family, and always treated with great friendship by himself." Gordon lived till 1750, and after his death two collections of his political tracts were published.*

To Bolingbroke was ascribed, without truth, the authorship of some of Cato's Letters.† That lordly writer, after his return from exile in 1725, finding that the Act of Attainder was not reversed as he desired, did once more assume the pen of a public writer, and began a fierce opposition to the ministry through the press, but not in conjunction with Gordon or Trenchard. He commenced with the *Occasional Writer*, and afterwards contributed to the *Craftsman*. In the latter he wrote the series of articles which attracted much attention, and were afterwards collected together and republished under the title of *Letters on the History of England*, by Humphrey Oldcastle. Bolingbroke refers to several cotemporary Papers. "I took some umbrage," he makes one of his characters say, "at a Paper which came out some time ago. The design and tendency of it seemed to me to favour the cause of a faction; and of a faction, however contemptible in its present state, always to be guarded against. The Paper I mean is *Fog's Journal* of the 6th of June." Again: "Might it not be designed to furnish the spruce, pert orator who strewed some of his flowers in the *Daily Courant* of the 11th of June." Further on he several times speaks slightly of the *London Journal*; and talks with great anger and contempt for "these scribblers" and "these writers" who

* The titles are—*A Cordial for Low Spirits*, in 3 vols., and the *Pillars of Priestcraft, and Orthodoxy Shaken*, 2 vols.

† Bolingbroke mentions Gordon in Oldcastle's *Letters*, p. 67.

differ from the new line of politics his Lordship had chosen to take up, and who, as he states, "speak the language of those who guide their pens and reward their labours." Swift comes prominently before us again in 1728, when, in conjunction with Dr. Sheridan, he started *The Intelligencer*, in which it appears, however, that he wrote only nine articles. It is enough just to name his *Drapier's Letters*, since they enjoyed a reputation only eclipsed by those of *Junius*.*

During the succeeding fifty years the Newspaper press extended its ramifications through the country, and mustered, from time to time, in its ranks many writers of acknowledged genius. From time to time also the law was resorted to by the authorities when a publication was thought to exert too potent an influence against those in power; or when an additional amount of taxation could be wrung from the readers of the public Journals, or from those who advertised in their columns. A rapid glance at what may be called the Newspaper events, from the days of Steele till 1770, may be sufficient for this portion of our

* Swift's *Narrative of the Attempts of the Dissenters* was published in the "Correspondent" about 1728. In what form, or at what precise date, his editors did not know. About November, 1735, the Dean appears to have written a statement of the case of the Rev. Mr. Thorp, a clergyman who had suffered from the grasping spirit of his patron in the form of a Newspaper paragraph. Scott says, in a note, "It would be satisfactory to discover the Dean's paragraph." An advertisement, as it seems from the Dean's correspondence, was published, offering a reward of ten guineas for the name of the author.

No. 50 of the *Spectator*, and No. 96 of the *Guardian*, are published with Swift's works. Some letters he wrote to the editors of Papers may be mentioned. Those given in the collections are—Two to the *Dublin Weekly Journal*, Sept. 14 and 21, 1728, and one to the same paper on Aug. 9, 1729. A Letter to the writer of the *Occasional Paper* in the *Craftsman*, 1727.

subject. In the reign of George the First, we find that the number of daily Papers had increased to three, whilst there were ten others issued three times a-week in the evening, besides weekly Journals. In a list of names of Papers flourishing in 1733, we find *The Craftsman*, *Fog's Journal*, *Mist's Journal*, *The Daily Courant*, *The London Journal*, *Free Briton*, *Grub Street Journal*, *Weekly Register*, *Universal Spectator*, *Auditor*, *Weekly Miscellany*, *London Crier*, *Read's Journal*; all those being, it is said, under the influence of the booksellers, except the *Craftsman*. A few years later we find many additional titles. The *London Daily Post* of 1726 became the *Public Advertiser* in 1752; the *St. James's Post* and *St. James's Evening Post* of 1715 were amalgamated, and were converted subsequently into the *St. James's Chronicle*.

Eleven years after George the First had obtained the throne, his Government passed a law* which rendered more exact the taxes upon Newspapers. The act which makes the alterations recites, that "the authors or printers of several Journals or *Mercuries* and other Newspapers had evaded the previous statute by printing their News upon paper between the two sizes mentioned by the law," too large for the halfpenny stamp and too small for the penny one—in fact on neither a half sheet, nor a whole sheet—but entered them as pamphlets under another clause of the 10th of Anne, and so escaped by paying only the pamphlet tax of three shillings on each edition. The 8th of George the First stopped this evasion, but without increasing the impost.

* 11 Geo. I., c. 8, § 13, 14.

In George the Second's reign, the demand for Newspapers had so increased, and the pressure of the tax had become so irksome, that numerous unstamped publications appeared. This was noticed so frequently that, in 1743, a clause was inserted in an act* declaring, that as great numbers of Newspapers, pamphlets, and other papers subject and liable to the stamp duties, but not stamped, were "daily sold, hawked, carried about, uttered and exposed for sale by divers obscure persons, who have no known or settled habitation," it is enacted, that all hawkers of unstamped Newspapers may be seized by any person, and taken before a justice of the peace, who may commit them to goal for three months. The law further offers a reward of twenty shillings to the informer who secures a conviction. This law soon tenanted the gaols with the dealers in unstamped Journals.

The Papers occasionally gave reports of Parliamentary debates, regardless of the privileges of the House of Commons, and that assembly, in 1729, (Feb. 26,) resolved, "that it is an indignity to, and a breach of the privilege of this House, for any person to presume to give, in written or printed Newspapers, any account or minutes of the debates, or other proceedings of this House, or of any committee thereof; and that, upon discovery of the authors, &c., this House will proceed against the offenders with the utmost severity."† There are other resolutions to the same effect. The Speaker having himself brought the subject under consideration some years afterwards, in 1738, the resolution was repeated in nearly the same

* 16th Geo. II., c. 26, § 5.

† Parl. Hist., Vol. VIII., p. 683.

words; "but after a debate, whercin, though no one undertook to defend the practice, the danger of impairing the liberty of the press was more insisted upon than would formerly have been usual; and Sir Robert Walpole took credit to himself, for respecting it more than his predecessors."*

Parliament did not succeed in preventing the people from obtaining in print some account of the proceedings in the Legislature. From about the time of the accession of George the First till 1737, we have a report, such as it is, of debates in Boyer's Register; the notices being continued afterwards in the London Magazine and the Gentleman's Magazine. On the 19th November, 1740, Johnson succeeded Guthrie the historian as the writer of the Parliamentary speeches for the Gentleman's Magazine, and continued to supply them till March, 1743, at which period Dr. Hawkesworth conducted the work.

When the Rebellion of 1745 broke out, the aid of the press was gladly accepted by the reigning family, and Fielding,† who had published his first novel three years before, came into the ranks of the journalists with a Paper which he called *The True Patriot*. The first number of this came out on the fifth of November 1745, and the last on the fifteenth of April 1746. The services he rendered through the columns of this Paper gained him the post of Bow Street magistrate. Fielding started some other Papers; one was the *Covent Garden Journal*, by Sir Alexander Drawcansir, Knt., and Censor General of England; was commenced

* Coxe's Walpole, Vol. I., p. 572., in Hallam.

† Born 1709, died 1754.

January 11, and continued till August of the same year. It was published Tuesdays and Saturdays. In this he gave police cases. The *Jacobite*, by John Trott Plaid, Esq., contained two papers by Fielding.*

In November 1758, Dr. Johnson devoted a number of the *Idler* to an essay on the Newspaper people of that day. He had, in an earlier portion of the same serial, amused his readers with what he calls a scheme for News-writers, &c., in which he indulges in some ponderous fun, at the expense of the *Chronicles* and *Gazettes*, the *Journals* and *Evening Posts*. On returning to the subject, he treats it in a more serious vein. He says :—"No species of literary men has lately been so much multiplied as the writers of News. Not many years ago, the nation was content with one *Gazette*, but now we have not only in the metropolis Papers for every morning and every evening, but almost every large town has its weekly historian, who regularly circulates his periodical intelligence, and fills the villagers of his district with conjectures on the events of war, and with debates on the true interests of Europe." After giving this record of a fact, the Doctor brings all his bitterness to bear upon the unfortunate editors, who incurred his wrath. "In Sir Henry Wotton's jocular definition," says he, "an ambassador is said to be a man of virtue, sent abroad to tell lies for the advantage of his country; a News-writer is a man without virtue, who writes lies at home for his own profit. To these compositions is required neither genius nor knowledge, neither industry nor sprightliness; but contempt of shame, and

* March 12, and July 23, 1748.

indifference to truth are absolutely necessary." When he wrote this morsel of abuse, it must be remembered that the great dictionary maker was enjoying a pension given by a Tory Government, and that the Newspapers who opposed the Doctor's party had gained an amount of influence very distasteful and very troublesome to those who were paid to "write up" absolutist doctrines. The Idler, in its less wrathful, and therefore more reliable mood, tells a different story:—

One of the principal amusements of the Idler is to read the works of those minute historians, the writers of News, who, though contemptuously overlooked by the composers of bulky volumes, are yet necessary in a nation where much wealth produces much leisure, and one part of the people has nothing to do but to observe the lives and fortunes of the other. To us, who are regaled every morning and evening with intelligence, and are supplied from day to day with materials for conversation, it is difficult to conceive how man can subsist without a Newspaper, or to what entertainment companies can assemble in those wide regions of the earth that have neither Chronicles nor Magazines, neither Gazettes nor Advertisers, neither Journals nor Evening Posts. All foreigners remark, that the knowledge of the common people of England is greater than that of any other vulgar. This superiority we undoubtedly owe to the rivulets of intelligence, which are continually trickling among us, which every one may catch, and of which every one partakes.

After these admissions, however, the Doctor qualifies his approbation by declaring that—

The compilation of Newspapers is often committed to narrow and mercenary minds, not qualified for the task of delighting or instructing; who are content to fill their Paper with whatever matter is at hand, without industry to gather or discernment to select. Thus Journals are daily multiplied without increase of knowledge. The tale of the Morning Paper is told

the evening, and the narratives of the evening are bought again in the morning. These repetitions, indeed, waste time, but they do not shorten it. The most eager peruser of News is tired before he has completed his labour; and many a man, who enters the coffee-house in his night-gown and slippers, is called away to his shop, or his dinner, before he has well considered the state of Europe.

Johnson's genius and industry had elevated him above the literary drudgery of writing Parliamentary debates, and he looked down with contempt upon the less talented or less fortunate scribblers, amongst whom in his earlier days he had been constrained to live.

Bubb Dodington in his Diary says, "Lord Bute called on me, and we had much talk about setting up a Paper." Here is an admission that ministers, in the beginning of George the Third's reign, well understood the value of Newspaper support; but, in the case of Lord Bute, the establishment of a Journal was not followed by the anticipated success. Smollett* was selected as the editor of the new paper, and on Saturday, May 29, 1762, he published the first number of *The Briton* only to excite an opposition too powerful to be conquered; for, on the succeeding Saturday, June the 5th, the *North Briton* appeared under the editorship of Wilkes, supported by Lord Temple and by Churchill the poet. Smollett and Wilkes had previously been friends; they now became opposition journalists, and wrote certainly with greater bitterness than wit. The palm of success, however, was soon awarded to the democratic M.P. *The Briton* stopped Feb. 12, 1763; its opponent proceeding for several

* In 1756 he set up the *Critical Review*, for a libel in which upon Admiral Knowles he was fined and imprisoned.

weeks with great vigour. The North Briton, however, was "violently extinguished April 23, 1763." In his celebrated *Number Forty-five*, Wilkes declared that falsehood had been uttered in a Royal speech, upon which a general warrant was issued against the authors of the libel. The officers entrusted with the warrant had received orders to seize the printer of the North Briton, but contrived first to apprehend the wrong man. They were soon put on a more correct scent; Balfe and Kearsley, the printer and publisher of the offending Paper, were taken into custody, and both declaring Wilkes to be the author of Number 45, he was seized, and, after an examination before the Secretary of State, was committed prisoner to the Tower. Churchill, the colleague of Wilkes in the North Briton, received, it is said, the profits arising from the sale of the Paper. His connection with this celebrated Journal led to the name of Churchill being included in the list of those whom the messengers had verbal directions to apprehend under the general warrant issued for that purpose.* The poet entered the room of Wilkes at the moment the latter was apprehended, and only escaped by the officers' ignorance of his person, and by the presence of mind with which Wilkes addressed him by another name. "Good morning, Mr. Thompson," said the ready-witted prisoner; "how does Mrs. Thompson do? Does she dine in the country?" Churchill took the hint as readily as it was given. He replied, "Mrs. Thompson is waiting for me, and I only called for a moment to say, How d'ye do?" In a few minutes the poet took

* Life of Churchill, prefixed to his Works, London, 1804.

leave of his captured fellow-editor, hurried home, secured his papers, retired into the country, and escaped all search. A vote of the House of Commons released Wilkes for a while, only to visit him with an adverse vote on a subsequent occasion. The popularity of the writer was distasteful to the majority in both Houses of Parliament, and his enemies most unscrupulously brought forward the immoralities of Wilkes's private life, to secure more readily a vote against him—immoralities which several of the leaders of this attack had themselves taken part in. Number 45 of the North Briton was ordered to be burnt by the hangman in Cheapside; and a resolution was adopted, "That the privilege of Parliament does not extend to the case of writing and publishing seditious libels, nor ought to be allowed to obstruct the ordinary course of the laws in the speedy and effectual prosecution of so heinous and dangerous an offence." Wilkes was further ordered to attend at the bar, but having been wounded in a duel—the second he had fought since he started the North Briton—he was unable to attend. His expulsion from Parliament, and subsequent proceedings, belong to the history of the period. General warrants, after a long debate, were declared to be illegal, and heavy damages were given in the courts of law against those who had arrested Wilkes, and his printer and publisher, under the insufficient authority of a ministerial order. Out of this political Paper, therefore, arose the establishment of another rule strengthening the political liberty we now enjoy.

Walpole in one of his Letters* says:—"Williams,

Vol IV., p. 49.

the reprinter of the North Briton, stood in the pillory to-day, (February 14, 1765,) in Palace Yard. He went in a hackney coach, the number of which was 45. The mob erected a gallows opposite him, on which they hung a boot* with a bonnet of straw. Then a collection was made for Williams which amounted to nearly £200." The money was placed in a blue purse trimmed with orange, the colour of the Revolution, in opposition to the Stuarts.

Chatterton, as well as Churchill, wrote for Wilkes. Before the Bristol poet left his native city he had contributed to the *Middlesex Journal*;† and after he arrived in the metropolis—believing he should take the town by storm, but, in truth, only to find in it an early grave—he purposed great literary projects to secure fame and fortune; but “for money to supply his hourly needs he trusted to occasional essays for the daily Papers.” In a letter to his sister, recounting the *Magazines and Papers* he wrote for, Chatterton tells her to “mind the *Political Register*; I am very intimately acquainted with the editor, who is also editor of another publication.” In the same communication he says:—“The printers of the daily publications are all frightened out of their patriotism, and will take nothing unless ’tis moderate or ministerial. I have not had five patriotic essays this fortnight, all must be ministerial or entertaining.” He had been personally introduced to Wilkes, and wrote to his Bristol friends that his influence would secure all sorts of advantages.

* A Jack-boot, in allusion to the Christian name of Lord Bute.

† His articles for the *Middlesex Journal* will be found reprinted in Mr. Dix’s edition of his Works.

It is needless to say how all these sanguine hopes were blighted. Chatterton afterwards wrote for both political parties—his poverty and his vanity being the incitements ; and one of the memoranda found in the unhappy poet's pocket-book after his death, showed the sums he had received for literary work. The items are small enough, and the two smallest refer to Newspaper payments. They are:—"Received of Mr. Hamilton, for *Candidus* and *Foreign Journal*, 2s. 0d. ; *Middlesex Journal*, 8s. 6d." Starvation and suicide soon after closed the scene.

The wit and satirist, Foote, did not let a certain portion of the press pass without notice ; but some of the sketches of Newspaper life to be found in his works are exaggerated into a grossness of caricature, which renders them less interesting than they must have been had he adhered a little more closely to truth. Foote, who lies under the charge of having taken money to suppress acted libels, shows no mercy to those who were suspected of indulging in written ones.

His bitterness of temper towards the Newspapers was, no doubt, increased by the fact, that the chief adviser of the disreputable Duchess of Kingston, a Rev. Dr. Jackson, was "part editor of a Newspaper," and one of the promoters of the infamous charge that darkened the latter days of the comedian. Two of the characters in his drama of *The Knights*, Sir Gregory Gazette and Hartop, carry on a conversation about Newspapers ; and in the comedy of *The Liar*, Papillon says, "Well, to be sure, he is a great master ; it is a thousand pities his genius could not be converted to

some public service. I think the Government should employ him to answer the Brussels Gazette:" on this the editor, Jon Bee (J. Badcock), notes:—"This paper was a password for lies, printed or oral, the press of that famous city being under the control of the Austrian archdukes." An exposé of Jackson's* character is given in the second act of *The Capuchin* and other references to the Papers will be found scattered through Foote's dramas. The first act of *The Patron* gives a scene between two members of Foote's world of letters:—

Puff. What! I suppose you forget your garret in Wine Office Court, when you furnished paragraphs to the *Farthing Post* at 12d. a dozen. Then did not I get you made collector of casualties to the Whitehall and St. James's? But that post your laziness lost you. Gentlemen, he never brought them a robbery till the highwayman was going to be hanged, a birth till the christening was over, nor a death till the hatchment was up. And now, because he has got a little in flesh by being puff to the playhouse this winter, he is as proud and as vain as Voltaire. But the vacation will come, and then, I shall have him sneaking, and eringing, and hanging about me, begging a bit of translation.

Dactyl. I beg for translation?

Puff. No, no, not a line: not if you would do it at 2d. a sheet. No boiled beef and carrots at mornings, no more cold pudding and porter; you may take your leave of my shop.

* Jackson is spoken of by Foote as having been clerk to the Moravian Mission House in Old Jewry, and afterwards the writer of scandalous paragraphs for a Newspaper, subsequently to which he resided with the Duchess of Kingston, and is said to have been "one of her cabinet council." This disreputable and unfortunate scribbler fell into poverty, went over to Ireland, and there joined in the rebellion of 1797; was taken prisoner, and condemned to be hanged. He escaped the gibbet by taking poison whilst under sentence, the persons tried with him being all publicly hanged.

Another character in the same drama, Mr. Rust, threatens to “ paragraph Sir Thomas Lofty in all the Papers.” A scandalous Newspaper paragraph enters into the composition of the plot of *The Bankrupt*; and, in the third act of that play, we are thus introduced to a Newspaper editor’s room, as sketched by Foote :—

SCENE—A Printer’s.

MARGIN *discovered, with Newspapers, Account Books, &c.*

Mar. September the 9th. Sold twelve hundred and thirty. June the 20th. Two thousand and six. Good increase for the time, considering, too, that the winter has been pretty pacific: dabbled but little in treasons, and not remarkably scurrilous, unless, indeed, in a few personal eases. We must season higher to keep up the demand. Writers in Journals, like rope-dancers, to engage the public attention must venture their necks every step they take. The pleasure people feel, arises from the risks that we run—what’s the matter?

Enter DINGEY.

Din. Mr Hyson has left the answer to his last letter on East India affairs.

Mar. A lazy raseal: now his letter is forgot, he comes with an answer. Besides, the subject is stale. Return it again. Are all our people in waiting?

Din. The Attorney General to the Paper, that answers the law cases, is not come yet.

Mar. Oh, that’s Ben Bone’em, the bailiff; prudently done; perhaps he has a writ against one of our authors. Bid them enter, and call over their names.

Din. Walk in, gentlemen.

Enter PEPPER, PLASTER, RUMOUR, FORGE’EM, FIBBER, COMMA, CAUSTIC, O’FLAM, and others.

Din. Politicians, pro and con.—Messieurs Pepper and Plaster.

Pep. and Pla. Here.

Mar. Pepper and Plaster, as both the Houses are up, I shall adjourn your political warfare till their meeting again.

Pep. Don't you think the public would bear one skirmish more before we close the campaign? I have a trimmer here in my hand.

Pla. To which I have as tart a retort.

Mar. No, no: enough for the present. It is, Plaster, the proper timing the subject that gives success to our labours. The conductor of a Newspaper, like a good cook, should always serve things in their season: who eats oysters in June? Plays and Parliament Houses are winter provisions.

Pep. Then half the satire and salt will be lost: besides, if the great man should happen to die, or go out.

Mar. Pshaw! it will do as well for the great man that comes in. Political Papers should bear vamping, like sermons; change but the application and text, and they will suit all persons and seasons.

Pla. True enough; but, mean time, what can we turn to; for we shall be quite out of work?

Mar. I warrant you, if you are not idle, there's business enough; the press teems with fresh publications—Histories, translations, voyages—

Pep. That take up as much time to read as to make.

Mar. And, what with letters from Paris or Spa, inundations, elopements, dismal effects of thunder and lightning, remarkable causes at country assizes, and with changing the ministry now and then, you will have employment enough for the summer.

Pla. And so enter upon our old trade in the winter.

Mar. Ay; or, for variety, as it must be tiresome to take always one side, you, Pepper, may go over to administration, and Plaster will join opposition. The novelty may, perhaps, give fresh spirits to both.

Pep. With all my heart. A bold writer has now no encouragement to sharpen his pen. I have known the day when there was no difficulty in getting a lodging in Newgate; but now, all I can say wo'nt procure me a warrant from a Westminster justice.

Mar. You say right, hard times, master Pepper, for persecution is the very life and soul of our trade; but don't despair, who knows how soon matters may mend? Gentlemen, you may draw back. Read the next.

Din. Critics—Thomas Comma and Christopher Caustie.

Mar. Where are they?

Din. As you could not find them in constant employment, they are engaged by *the great* to do the articles in the Monthly Reviews.

Mar. I thought they were done by Dr. Doubtful, the deist.

Din. Formerly, but now he deals in manuscript sermons, and writes religious essays for one of the Journals.

Mar. Then he will soon sink. I foresaw what would come of his dramming. Go on.

Din. Collectors of paragraphs—Roger Rumour and Phelim O'Flam.

Ru. and O'Flam. Here.

Din. Fibber and Forge'em, composers and makers of ditto.

Fib. and Forge. Here.

Mar. Well, Rumour, what have you brought for the press?

Ru. I have been able to bring you no positives.

Mar. How! no positives?

Ru. Not one. I have a probability from the court end of the town; and two good *supposes* out of the city.

Mar. Hand them here—[*reads*]: "It is probable that, if the King of Prussia should join the Czarina, France will send a fleet into the Mediterranean, which, by giving umbrage to the maritime powers, will involve Spain, by its family compact: to which, if Austria should refuse to accede, there may be a powerful diversion in Poland, made conjointly by Sweden and Denmark. And if Sardinia and Sicily abide by the treaties, the German Princes can never be neuter; Italy will become the seat of war, and all Europe be soon set in a flame." Vastly well, Master Rumour, finely confused, and very alarming. Dingey, give him a shilling for this. I hope no other Paper has got it?

Ru. O, fy, did you ever know me guilty of such a——

Mar. True, true; now let us see your *supposes*—[*reads*]:

“It is supposed, if Alderman Mango should surrender his gown he will be succeeded by Mr. Deputy Drylips, and if my Lord Mayor should continue ill of the gout, it is supposed the *swan-hopping* will cease for this season.” That last suppose is fudged in; why would you cram these upon me for a couple?

Ru. As distinct as can be.

Mar. Fy, remember our bargain. You agreed to do the Court of Alderman always for sixpence.

Ru. What, if a Common Hall should be called?

Mar. Oh! then you are to have three-pence a motion, I know that very well: I am sure no gentleman can accuse me of being sneaking. Dingey, give him sixpence for his supposes. Well, Phelim O’Flam, any deaths in your district?

O’Flam. The devil a one.

Mar. How! none?

O’Flam. O, yes, a parcel of nobodies, that died worth nothing at all; fellows that can’t pay for a funeral. Upon my conscience I can’t think what becomes of the folks; for my part, I believe all the people who live in town fall down dead in the country; and then, too, since Doctor Despatch is gone to Bath, patients linger so long.

Mar. Indeed!

O’Flam. To be sure they do. Why, I waited at the Jolly Topers a matter of two days and a half for the last breath of Lady Dy Dropsy, for fear some other collector should catch it.

Mar. A long time, indeed.

O’Flam. Wasn’t it, considering that she had two consultations besides, devilish tough? Mr. Margin, I shall quit the mortality walk, so provide yourself as soon as you can.

Mar. I hope not.

O’Flam. Why, what will I do? I am sure the deaths wo’nt keep me alive; you see I am already stripped to my shroud; since November, the suicide season, I have not got salt to my porridge.

Enter SIR THOMAS TRADEWELL.

Sir Tho. Is your name Matthew Margin?

Mar. It is, and what then?

Sir Tho. Then, pray, what right had you to kill me in your last Saturday's Paper?

Mar. Kill you!

Sir Tho. Ay, Sir, here the article is: surely the law has some punishment for such insolent raseals as you!

Mar. Punishment! and for what? But, after all what injury have you sustained?

Sir Tho. Infinite. All my agents are come post out of the country, my house is erowded with eousins, to be present at the opening of my will, and there has been (as it is known she has a very good jointure) no less than three proposals of marriage already made to my relief.

Mar. Let me look at the paragraph. [*reads*]: "Last night, after eating a hearty supper, died suddenly, with his mouth full of eustard, Sir Thomas Tradewell, knight, an amiable companion, an affectionate relation, and a friend to the poor."—O'Flam, this is some blunder of yours; for you see, here the gentleman is, and alive.

O'Flam. So he says, but the devil a one in this ease would I believe but himself; because why, I was told it by Jeremy O'Turlough, his own body chairman, my dear! and, by the same token I treated him with a pint of porter for the good news.

Sir Tho. Vastly obliged to you, Mr. O'Flam, but I have nothing to do with this wretched fellow; it is you, Margin, shall answer for this.

Mar. Why, Sir Thomas, it is impossible but now and then we must kill a man by mistake. And, in some measure, to make amends, you see what a good character the Paper has given you.

Sir Tho. Character!

Mar. Ay, sir, I can tell you I have had a crown for putting in many a worse.

O'Flam. Ay, Sir Thomas, consider of that, only think what a comfort it is to live long enough after you are dead to read such a good account of yourself in the Paper.

Sir Tho. Ha! ha! ha! what a ridiculous raseal! But I would advise you, gentlemen, not to take such liberties with me for the future.

[*Exit.*

O'Flam. Indeed, and we wo'nt; and I here give Mr Margin my word, that you shan't die again as long as you live, unless, indeed, we get it from under your own hand.

Enter SIR ROBERT RISCOUNTER *and* SIR JAMES BIDDULPH.

Sir Rob. Where is this Margin, this impudent, rascally printer?

Mar. Hey day! What's the matter now?

Sir J. Curb your choler, Sir Robert.

Sir Rob. A pretty fellow, indeed, that every man's and woman's reputation must be subject to the power of his poisonous pen.

Sir J. A little patience, Sir Robert.

Sir Rob. A land of liberty this! I will maintain it, the tyranny exercised by that fellow and those of his tribe is more despotie and galling than the most absolute monarch's in Asia.

Sir J. Well, but——

Sir Rob. Their thrones claim a right only over your persons and property, whilst this mongrel, squatting upon his joint stool, by a single line, proscribes and ruins your reputation at once.

Sir J. Sir Robert, let me crave——

Sir Rob. And no situation is secure from their insults. I wonder every man is not afraid to peep into a Paper as it is more than probable he may meet with a paragraph that will make him unhappy for the rest of his life.

Mar. But, gentlemen, what is all this business about?

Sir Rob. About? Zounds, sir, what right had you to ruin my daughter?

Mar. I! I know nothing of you, nor your daughter.

Sir Rob. Sir James Biddulph, you have it, produce the Paper.

Sir J. There is no occasion for that, the affair is so recent I dare say the gentleman will remember the passage; this, sir, is the banker, the father, with whose daughter you was pleased to take those insolent freedoms this morning.

Sir Rob. And this, sir, the amiable baronet, from the west end of the town.

Mar. I recollect. Well, gentlemen, if you have brought

any paragraphs to contradict the report, I am ready to insert them directly.

Sir Rob. And so, you raseal, you want us to furnish fresh food for your Paper.

Mar. I do all I can to keep my scales even; the charge hangs heavy here; on the other side you may throw in the defence, then see which will weigh down the other.

Sir Rob. Indeed, Sir James Biddulph, if he does that—

Sir J. *That!* Can that paltry expedient atone for his crime? Will the snow that is sullied recover its lustre? So tender and delicate, Sir Robert, is the fame of a lady, that, once tainted, it is tarnished for ever.

Sir Rob. True enough.

Mar. I could bear no ill-will to your daughter, as I know nothing about her.

Sir Rob. Indeed, Sir James, I do n't see how he could.

Sir J. Is his being the instrument of another man's malice a sufficient excuse?

Sir Rob. So far from it, that it enhances the guilt. Zounds, Sir James, you are a Parliament man, why do n't you put an end to the practice?

Mar. Ay, let them attack the press, if ——

Sir Rob. Have a care of that; no, no, that must not be done.

Sir J. No man, Sir Robert, honours that sacred shield of freedom more than myself.

Sir Rob. I dare say.

Sir J. But I would not have it serve to shelter these pests, who point their poisoned arrows against the peace of mankind.

Sir Rob. By no means in the world. Let them be dragged from behind it directly.

Mar. Ay, do destroy the watchful dogs that guard and cover your flocks?

Sir J. You guard! You cover!

Mar. Ay, who but us alarm the nation when bad designs are on foot?

Sir Rob. In that respect, they are very useful, no doubt.

Sir J. Are they, therefore, entitled to give the alarm, when no such design is intended?

Sir Rob. By no means. A pack of factious, infamous scoundrels!

Mar. It is we that supply the defects of the laws.

Sir J. You!

Mar. By stigmatizing those offenders that they cannot reach.

Sir Rob. That, indeed, serves to keep the guilty in awe.

Sir J. And is a pretence for making the innocent the butts of their malice.

Sir Rob. True, true; all is fish that comes to their nets.

Sir J. Besides, their slander is scattered so generally, and with so little discretion, that the deformity of vice is destroyed.

Sir Rob. True.

Sir J. Bad men are made worse by becoming totally callous, and even the good rendered careless to that source of patriotism, that pride of virtue, the public opinion.

Sir Rob. And they are much in the right on 't.

Mar. What, you are a courtier, I reckon; no wonder you wish the press was demolished.

Sir J. If ever that happens, to such miscreants as you it will be owing; nor will it surprise me, if all orders concur, to give up a great public benefit for the sake and security of private honour and peace.

Sir Rob. Nor me neither.

Mar. You would consent, then, to surrender the press.

Sir Rob. I would sooner consent to be hanged.

Sir J. And its unbounded licence continue?

Sir Rob. I would much rather see it on fire.

Mar. With respect to its general use——

Sir Rob. Not the smallest doubt can be made.

Sir J. But, Sir Robert, then the abuse——

Sir Rob. Is what no mortal can bear.

Mar. But, Sir Robert, you would but just now——

Sir Rob. I confess it, I did.

Sir J. Ay, but that was, Sir Robert, because——

Sir Rob. For no other reason in life.

Mar. My observation you allowed to be——

Sir Rob. Pointed.

Sir J. And my reply——

Sir Rob. Conclusive as could be.

Mar. But then——

Sir Rob. To be sure.

Sir J. Because why.

Sir Rob. You are quite in the right.

O'Flam. Upon my soul, they have got the old gentleman into such puzzleation, that I don't believe he knows what he wishes himself. Stand by, and let me clear up this matter a little. Harkee, Mr. Sir Robert, if I understand your meaning at all, it is, that, provided people could be prevented from publishing, you are willing that the press should be free.

Sir Rob. That was my meaning, no doubt.

O'Flam. Upon my conscience, and nothing but reason. There, I believe, we are all of us agreed. How seldom would people differ if once we could get them to be all of a mind! And now this difference is whole and composed, let me try if I can't make up the other. I understand here, old gentleman, you have had a daughter abused.

Sir Rob. Most foully.

O'Flam. And you want to know who was the author?

Sir Rob. That was my sole business here.

O'Flam. Then why could not you say so at first, without all this bothering and bawling? Well, Master Margin, come, give the old buck satisfaction.

Mar. It was anonymous.

O'Flam. Upon my soul, and I thought so. He had like to have brought me into three or four serapes, by fathering his lies upon me.

Sir J. Will you give us leave to look at the hand?

Mar. Freely, this is the paper.

Sir J. Sir Robert, do you recollect to have seen this writing before?

Sir Rob. It is James's; I know it as well as my own. here are his D's, his G's, and his T's.

Sir J. So I guessed. Will you trust the paper with us?

Sir Rob. Let him get it again if he can. Sir James I shall expect you at home. [*Exit*,

Mar. I hope no bad use will be made of it.

Sir J. The worst use has already been made of it: but, at parting, Mr. Margin, let me give you a piece of advice. Take care how you provoke the public patience too far. You have set the laws at defiance, and long reigned uncontrolled, I confess; but don't wonder if the subjects of your slander forget there are laws in their turn, and, valuing an honest name more than their lives, should expose their lives to revenge it. [*Exit*.

O'Flam. Upon my soul, Mr. Margin, very wholesome advice, and will do you much good if you take it; but, above all, rid your hands of James Anonymous as soon as you can; you know it was he who got you that beating. That fellow has brought you into more scrapes than all your authors together.

Enter a SERVANT.

Ser. Gentlemen, the milk-porridge is ready.

All. Let us start fair, * I beseech you. [*Exeunt*.

Dramatic criticism found its way into the Newspapers in the days of Foote. "He was remembered," says his biographer, Jon Bee, "by many templars in my time, as one of the greatest beaux of the year *forty*, living in handsome chambers, with all the paraphernalia of study around him, but without the gift of application. His greatest delight consisted in making a figure at the coffee-houses, whither resorted the *beaux-esprits* of the day. At the *Greeian* (near the Temple), whence Addison had dated many papers of his *Spectator*, Foote cut a conspicuous figure in the morning; and, in the evening, he took his station among the dramatic critics, at the Bedford Coffee-house, in Covent-garden, where they discussed the merits of the

* "Let's all start fair." The custom of hack-writers getting food from their publisher, is also referred to by Fielding.

actors and the pieces, and lauded or condemned, *orally*, much in the same way as we now do by *writing*.* Indeed, the reports of the earliest fashionable morning Papers of dramatic affairs were first collected at the Bedford, and other such assemblages. Here he was enabled by his attainments to shine out a splendid meteoric light, in that age when drawling ignorance and sentimental comedy still maintained their ground on the stage against a more natural and dignified enunciation, and the representation of credible occurrences."†

Burke spoke for the liberty of the press. Sheridan says he was also a reporter of debates; but whether the notices of Parliament in the Annual Register, and the speeches given in his works, were his only performances in this way does not clearly appear. Burke, it is probable, contributed to the Paper of his friend Arthur Murphy; and it is admitted, that to his pen

* "Dramatic criticism then newly came into vogue, and consisted merely of the *on dits*, collected by some assistant editors, as regarded new pieces only; the actors themselves escaped tolerably well the reprovals of the periodical press for a long series of years. Indeed, before this time, the Newspapers—or rather, *one* of them only—paid the theatres each two hundred pounds annually for *intelligence* as to what was going on at the respective houses; whereas, at present, nearly five times that sum, per estimate, is received by the Papers for theatrical advertisements from all the houses. But then the Papers are supposed to pay nearly half as much as they receive to certain reporters of new pieces, first appearances, &c., &c. The present mode of reporting *theatricals*, as it was termed by Captain Topham, was in full play about the end of the American War; and to Mr. John Bell, the projector of *The World* and *The Morning Post*, do we owe the plan of giving a constant succession of strictures on the drama."—*Note by Jon Bee.* † *Life of Foote*, prefixed to edition, London, 1830.

The Englishman owed some of the satirical articles which distinguished that Journal. He put on record his opinion, that "Newspapers are a more important instrument than is generally imagined; they are a part of the reading of all; they are the whole of the reading of the far greater number."

But we must turn again towards the courts of law to see how they had been interfering with the press. In 1764, Mr. Meres, the printer of a popular evening Paper, had been fined £100 by the House of Lords, for mentioning the name of Lord Hereford in his journal—the London Evening Post. Several other printers were afterwards fined, every session for some years, £100 each time they printed the name of a member of the House of Peers. Mr. Almon the bookseller, and friend of Wilkes, was the author of the paragraph that brought the law down upon Meres. Almon was at this time, and continued to be, a very strong assertor of the public right to know how public affairs were conducted in Parliament, as we shall have occasion to see.

The North Briton Newspaper excitement was followed, a few years afterwards, by the equally intense feeling raised by the Letters of Junius. The first Letter by this writer appeared in the Public Advertiser on the 28th of April, 1767, and was followed by the sixty-nine others so often since reprinted. The last of these Letters appeared on the 2nd of November, 1771.*

* The 69th Letter, addressed to Lord Camden, is without a date; and there are other private letters to Woodfall, the printer of the Public Advertiser, the last two of which are dated 10th May, 1772, and 19th January, 1773.

Several trials arose out of the publication of these political strictures. In June, 1770, Almon the bookseller, then of Piccadilly, was tried and fined in King's Bench for selling a work called *The London Museum*, containing a copy of Junius's Letter to the King. Soon afterwards, H. S. Woodfall, printer and editor of the *Public Advertiser*, was tried for issuing the same letter, and found guilty of *printing and publishing* only. Woodfall was tried in the city of London, before Lord Mansfield; and the jury were nine hours considering their verdict, which in effect was an acquittal. Mr. J. Miller, printer, and Mr. Baldwin, a bookseller, were tried on a similar charge, and acquitted. Though the issue of the letter was clearly shown, the jury regarded themselves as judges of the import of the Paper as well as of the intention of those publishing it. On this trial, Lord Mansfield said, "The liberty of the press consists in no more than this, a liberty to print now without license, what formerly could be printed only with one." The secret of Almon being selected for prosecution before the real publishers of Junius's Letter to the King had been proceeded against, was that Almon had offended the King by publishing a valuable public document in his Paper, and had refused, when asked, to reveal the name of the official who had furnished him with it.*

When the town was excited by the massacre in St. George's Fields, and by the decision in the House on Wilkes's election for Middlesex, Almon went about and collected from members of Parliament some particulars relative to the debates. These, he put into

* *Memoirs of John Almon, bookseller.*

shape, and printed regularly three times a-week in the London Evening Post. Mcres at this time was dead, and that Paper was printed by John Miller. For two sessions Almon continued his reports with tolerable accuracy and regularity. This success stimulated a rival Paper, the St. James's Chronicle, to employ a reporter also, and a Mr. Wall was employed to collect notes in the lobby of the House, the coffee-houses, and elsewhere. After supplying his first employer, Wall sent copy to a third Journal, The Gazetteer, and soon other Papers, in self-defence gave reports also. This infraction of the rule of the House caused much discontent amongst those who wished to legislate in secret, and hence, in 1771, a contest arose which must ever be memorable in the history of the press in England. Since the time of Cromwell, the people had never been allowed to read an authorized report of the doings of their representatives; but the deficiency had been partially supplied as we have seen by reports furnished in the Newspapers, whose editors thus risked punishment by offending the privileges of Parliament. The people had begun to regard the publicity of Parliamentary proceedings as one of the few checks upon Parliamentary conduct, and they estimated the efforts of the reporters accordingly. Many of the members were strongly opposed to this publicity—secrecy suited them best; and, in 1771, it was moved that two offending printers be called to the bar, for infringing a standing order of the House.

This was the first movement in a contest that lasted long, and excited the greatest interest throughout the country. The writer of the Annual Register for the year—who, be it remembered, was penning

his record whilst the sounds of the warfare were still ringing in his ears—says: “ Though this session had already been uncommonly fruitful, either in the production of events, or the furnishing subjects for discussion of the most interesting nature ; it had, however, still in reserve a matter which excited the public attention, and was attended with more extraordinary circumstances than any other which had taken place for some years. This was the affair of the printers ; which, though a matter in its first outset that carried nothing new or extraordinary in its appearance, was capable in its consequences of calling the privileges of the House of Commons into question, and of committing the legal right upon which those privileges were founded to a public discussion ; whilst it also was productive of the new and extraordinary spectacle of the Lord Mayor of the City of London, and another of its principal magistrates, being committed prisoners to the Tower.”

The Newspapers, in their discussion of public affairs, had the boldness to mention the names of those whom they referred to. This was regarded as most unwarrantable audacity ; and though the law of libel and the courts of justice were in existence for the punishment of such as committed offences in print, the Legislature and not the law courts took the matter up.

“ In the latitude now taken,” continues the Annual Register, “ the publishers of Newspapers had for some time inserted certain performances as speeches of the members of Parliament, which in the House had been denied, some of them in many essential parts, to be

genuine; but, if they had been the truest representation of the sentiments and expressions of the speakers, such publications were yet contrary to a standing order of the House of Commons. A complaint, on these grounds, was laid against two of them by one of the members, and a motion carried upon a division for proceeding against them. The printers were accordingly ordered to attend, which they did not comply with. Other notices were served, and different questions arose upon the mode of serving them. The messengers had not seen the printers, and left the order for their attendance with their servants. At length a final order was issued, and the leaving it at the houses was to be deemed a sufficient notice." The whole of this measure was strongly opposed by a portion of the House. It was said to be an improper time, in the existing temper and disposition of the people, to commit the question of privileges to an unnecessary discussion, and to administer new opportunities for a popular opposition to the branches of legislature as well as to executive government: that prosecutions of this nature instead of putting an end to the practice would increase it, as they would promote the sale of the libels, which was known to have been the case in some then recent instances: "that the ministerial writers were publicly encouraged to the most flagrant abuses of the press: and, that while this was done in one instance, whereby some of the most respectable characters in the kingdom were mangled without regard to shame or truth, it was in vain to curb it in other cases, or to say to licentiousness, 'so far shalt thou go, but no farther:' and that, though misrepresentations of any member

were undoubtedly infamous, they ought to be legally punished by the person injured, and not by the authority of the House."

The supporters of secret debates declared reporting to be "*highly prejudicial to the interests of gentlemen in their boroughs*, that it had never been practised before during the sitting of Parliament, and when done in the intervals had been always conducted with decency; but that it had become absolutely necessary either to punish the offenders severely, or to reverse the standing order which had not only been disobeyed, but violently and outrageously insulted." The final order to the offending printers having been disregarded by them, a motion was made that the men who thus defied the House should be taken into the custody of the Sergeant-at-Arms.

Another debate ensued. The friends of the press and national liberty argued, "That it was highly impolitic to provoke the people by a needless display of authority, at a time when they were already too much heated and alarmed, and watched every exercise of power with the utmost jealousy and suspicion, especially in the House of Commons, which, since the business of the Middlesex election, the people were but too apt to consider rather as an instrument of the Court, than the representative of the people." The despotic party responded "That, notwithstanding the unjust and groundless suspicions of the vulgar, the dignity of the House must be supported; and that, as the order had been made, it must now vindicate its own conduct by enforcing obedience to it." The question being put was carried, as every other

(says the Annual Register) had been upon this subject, by a prodigious majority. The Sergcant-at-Arms not having been able to meet with the delinquents, and having been besides laughed at by their servants, made his report accordingly to the House ; upon which it was resolved to vote an address for a Royal proclamation against them, together with a reward for their apprehension, which being done, the proclamation was accordingly issued in the Gazette (March 9), and a reward of fifty pounds offered for the apprehension of the contumacious printers. Whilst this first affair was on hand, six other printers were reported as having offended in a similar way, and a motion was made to take them also into custody. Hereupon another debate took place. It was urged upon the House that, as the members whose speeches had been printed “had not made any particular complaint of the injuries done them, Parliament in general had no business to take it up ; and that the different publishers of Newspapers throughout England, who were a numerous body, were all under the same predicament with those complained of, and if there was a general persecution raised against them, the whole time of the House would be taken up, and its attention diverted from all matters of moment to a ridiculous contest with a set of printers.”

Another section of the members viewed the question in a broader light. They “went so far as to deny the authority of the House in this respect, and said that it was an usurpation assumed in bad times ; that while their privileges and authority were used in

defence of the rights of the people against the violence of the prerogative, all men willingly joined in supporting them, and even their usurpations were considered as fresh securities to their independence ; but, now that they saw their own weapons converted to instruments of tyranny and oppression against themselves, they would oppose them with all their might." They also said, that the practice of letting the constituents know the Parliamentary proceedings of their representatives "was founded upon the truest principles of the constitution ; and that even the publishing of supposed speeches was not a novel practice, and, if precedent was a justification, could be traced to no less an authority than Lord Clarendon." After much discussion the question with respect to the first printer upon the list was carried by a great majority ; "upon which those gentlemen who were averse to the whole of these proceedings, finding themselves unable to restrain the present ferment, and being uncertain to what pitch it might be carried, dexterously availed themselves of Parliamentary forms "to procure that delay which, they imagined, might give it time to subside. They accordingly, by motions for adjournment, and amendments to the different questions, protracted the debates to past four o'clock in the morning, during which the House had divided between twenty and thirty times, a circumstance perhaps before unknown. The numbers ran, upon these divisions, from 143 to 70, on the side of the majority, and from 55 to 10, on that of the minority ; the result, however, was, that the six printers were finally ordered to attend the House. Of these printers, some were

reprimanded, one was in the custody of the Lords for a similar misdemeanour, and one did not attend, who was ordered to be taken into the custody of the Sergeant-at-Arms for contempt." The concluding circumstances may be quoted verbatim from the Annual Register :—

A few days after, Wheble, one of the two printers mentioned in the proclamation, was apprehended and carried before Alderman Wilkes at Guildhall, and was by him discharged, and bound over in a recognizance to prosecute the captor for an assault and false imprisonment, who was also obliged to give bail for his appearance at the next sessions to answer for the offence. At the same time, the Alderman wrote a letter to the Earl of Halifax, who was then Secretary of State; to acquaint him with the transaction and the motives of his conduct, which were the illegality of apprehending Wheble in consequence of the proclamation, without any crime having been proved or charged against him, which, he said, was a direct violation of his rights as an Englishman, as well as of the chartered privileges of a citizen of London.

Thompson, the other of these printers, was apprehended in the same manner, and discharged by Alderman Oliver. The circumstances in both cases were exactly the same; the persons who apprehended them were of their own business, and probably acted under their directions; they both avowed the rewards to be the motives of their conduct, and obtained certificates from the magistrates to entitle them to receive the money at the Treasury; which, however, it was thought proper not to pay.

The printer of the London Evening Post, who had not obeyed the last order, was apprehended in his own house by a messenger of the House of Commons, March 15th. Whereupon he sent immediately for a constable, and the Lord Mayor being ill of the gout, they were carried before him to the Mansion House, where the Aldermen Wilkes and Oliver then were. The deputy Sergeant-at-Arms also attended, and demanded in the name of the Speaker, that both the messenger and the printer should be delivered up to him. This was

refused by the Lord Mayor, who asked for what crime, and upon what authority the messenger had arrested the printer? Who answered, that he had done it by warrant from the Speaker. It was then asked if it had been backed by a city magistrate? which being answered in the negative, the warrant was demanded, and after much altercation produced; and its invalidity being argued by the printer's counsel, the three magistrates present discharged him from confinement. His complaint for an assault and false imprisonment being then heard, and the facts proved and admitted, the messenger was asked for bail, which the Sergeant having refused to comply with, a warrant for his commitment to prison was made out, and signed by the Lord Mayor and the two Aldermen: as soon as it was executed, the Sergeant then consented to the giving of bail, which was admitted.

When these bold steps taken by the city magnates were reported to the House of Commons a stormy debate ensued. The furious majority declared that the Lord Mayor of London had taken a step which struck at the very existence of the House of Commons; and that, if the power of apprehending persons by the Speaker's warrant was taken away, it would be impossible ever to get witnesses or others to attend on the summons of Parliament; that, therefore, this question ought to be immediately proceeded with, to the exclusion of all other business, however important. It was moved that the Lord Mayor should be ordered to attend in his place the next day. The liberal party, whilst asserting the privileges of the House, suggested that "these privileges were always odious when turned against the people, and that it was impolitic to engage the honour of the House in a dispute with the city of London. Despite this and all other arguments to the contrary, the question for the Lord Mayor's attendance,

notwithstanding his illness, was carried by a great majority; it was proposed that the Aldermen Wilkes and Oliver should be ordered to attend at the same time; but this was not carried. At the appointed time the Lord Mayor justified his conduct upon his oath of office, "by which he was obliged to preserve inviolate the franchises of the city; by the city charters, which exempt them from any law process being served but by their own officers; and by the confirmation of those charters, which were recognised by an act of Parliament; that he was compelled by all these ties, as chief magistrate, to act the part which he had done." He further desired to be heard by counsel, "in respect to the charter and act of Parliament; not so much on his own account, as on that of the city of London, of whose rights he was now the guardian." The liberals urged that the Lord Mayor did not deny the privilege of the House, but only claimed a particular exemption from its operation under the sanction of charters and an act of Parliament. It was properly a question, therefore, to be debated by lawyers; "that, if the city really had this exemption, it was a direct answer to the accusation; and that an act of the whole Legislature must undoubtedly lay aside any privilege of the House." The majority would, however, listen to nothing, and declared that counsel could never be allowed to be heard against the privileges of the House—that nothing could be argued upon this occasion, but an exemption of the city, which would be striking directly at the root of their authority. The Lord Mayor's clerk was ordered to attend with the book of minutes. This step was declared to be pre-

judging the question against the city magistrates, and declaring that the House had acted right, while the matter was yet in issue. But in vain. Another motion was made upon the subject of the Lord Mayor's being heard by counsel, and many reasons were strongly urged against the refusal; particularly the evident injustice that appeared upon the face of it, and its being contrary to the practice of all the courts of justice, where it was allowed even in cases of high treason. On the other hand, the refusal was supported by the custom of Parliament, which was, however, originally founded upon a precedent brought from the arbitrary reign of Henry the Eighth; but this was sufficient to over-rule the motion. The majority of the House, although they refused counsel, seemed afraid of their resolve, for it was immediately proposed and carried:—

That the Lord Mayor should be heard by counsel, so as they do not affect or controvert the privilege of the House. This excited the greatest indignation on the side of the minority, and was exclaimed against as a mockery; that it would be impossible to plead the Lord Mayor's case, without in some degree, controverting the privilege of the House; and that it was as gross an insult upon him, as it was a ridicule upon justice, and everything serious, to tell him he might employ counsel in every case he pleased, except the only one in which he wanted them. The clerk, having attended with the minute-book of recognizances belonging to the Lord Mayor's Court, was ordered up to the table; and, a motion having been made and carried for the purpose, he was obliged, being in the custody of the House, to erase the recognizance of Whittam, the messenger, out of the book; after which a resolution was passed, that there should be no further proceedings at law in that case.

Most of the gentlemen in opposition had quitted the House

during this transaction, declaring that they would not be witnesses to such an unprecedented act of violence; that it was assuming and exercising a power of the most dangerous nature, with which the constitution had not entrusted any part of the Legislature; and that the effacing of a record, stopping the course of justice, and suspending the law of the land, were among the heaviest charges that could be brought against the most arbitrary despot. The Lord Mayor, whose illness had for some days retarded this affair, having at length attended in his place, produced the charter and copies of the oaths administered to the city magistrates; after which he said, that it was evident that he could not have acted otherwise than he did, without having violated his oath and his duty; that he had acted in defence of the laws of his country, which were manifestly invaded; and that he should always glory in having done so, let the consequences be as they would. It was then said that the privileges and practice of Parliament had at all times been invariably the same; and that the only question now was, an exception claimed by the city of London, through a charter derived from the Crown; that the Crown could convey no powers through that charter, which were not inherent in itself; and that it had no power over the privileges of that House. That their privileges were a check upon the other branches of the Legislature; that consequently, their cause was the cause of liberty, and of the people at large; and if the powers of the Commons were weakened, the security to liberty would be equally so. It was therefore moved, that the discharging J. Miller from the custody of the messenger was a breach of privilege. To this the minority objected, lamenting the condition into which the House was brought, by their listening to every insidious motion, or every trifling cause, purposely designed to make them instruments of the passions of the Court, and to render them odious, by continual contests with the people. That many of the majority seemed sensible of the imprudence of the first complaint; yet when it was in their power to retract decently, they chose to renew the attack, and to bring six prieters before the House, when one had proved too many for them.

All arguments were unavailing. The first resolution, to-

gether with the two following, were then passed—that it was a breach of privilege to apprehend the messenger of the House executing his warrant under pretence of an assault; and that it was a breach of privilege to hold the messenger to bail for such pretended assault.

The temper of the House is well shown by their after proceedings. It was proposed to proceed against Mr. Oliver, who was also a member, and had been refused counsel, as well as the Lord Mayor; to this it was objected that it was then near one o'clock in the morning, and that no court of judicature in the world would proceed on a new trial at that hour; a motion was therefore made to adjourn: this was rejected by a great majority; and Mr. Oliver, being asked what he had to say in his defence, answered, that he owned and gloried in the fact laid to his charge; that he knew no justification could avert the punishment that was intended for him; he was conscious of having done his duty, and was indifferent as to the consequences; and as he thought it in vain to appeal to justice, so he defied the threats of power. It was then moved, that he should be sent to the Tower: great heat arose upon this question; the severest censures, not without threats, were thrown out; above thirty gentlemen quitted the House in a body, with declarations of the utmost asperity. Some of those who cultivated an interest in the city, declared, that without regard to the present resolutions, they would now, in the same situation, act the part that Mr. Oliver did, and therefore, they should all be sent to the Tower together. Several attempts were made from the other side to bring Mr. Oliver to a submission, or at least, an acknowledgment of error, thereby, to give an opportunity of mitigating the punishment; but he continued inflexible, declaring that he had acted from law and principle, and therefore, would never submit to an imputation of guilt. The question for his being sent to the Tower was at length put, and carried by 170 to 38, most of the minority having before quitted the House.

The city of London, (continues the Annual Register,) had taken a most active and sanguine part in favour of its magistrates during these transactions. A Court of Common-Council had

been held by a *Locum-tenens* at Guildhall, by which public thanks in writing were presented to the Lord Mayor and the two Aldermen, for having supported the privileges and franchises of the city, and defended our excellent constitution. A committee of four Aldermen and eight Commoners was also appointed, to assist them in making their defence, with instructions to employ such counsel as they should think proper upon this important occasion, and powers to draw upon the Chamber of London for money. The crowds which attended the magistrates, upon the different occasions of their going and returning from the House of Commons, were amazingly great; the streets from the Mansion-house to Westminster re-echoed with shouts; nothing could be more flattering to minds eager for popularity, than the acclamations of applause and gratitude which they received upon these occasions; they were considered as sacrifices to public liberty, and the Lord Mayor was called the people's friend, the guardian of the city's right, and of the liberties of the nation. March 27th.—Two days after the commitment of Mr. Oliver to the Tower, the Lord Mayor with his committee attended at the House of Commons to receive his sentence; the crowd was prodigious, and great irregularities were committed; several gentlemen were insulted in the grossest manner, and some in very high office very narrowly escaped with their lives: the Sheriffs, though attended by the Westminster Justices, and an army of constables, were insufficient to preserve order; and a knowledge that the guards, both horse and foot, had been previously prepared, and were ready to act, if called upon, had but little effect. It is said, that some violent spirits proposed that desperate and fatal recourse of calling in the military; but a happier temper prevailed in general. At length a number of the most popular gentlemen came out, and interfered personally in the crowd, and, having taken great pains to remonstrate with the people upon the impropriety and danger of their conduct, and adjured them, by everything that was dear and sacred to them, to disperse and retire to their respective homes; they succeeded so far, as to persuade them to retire to a greater distance from the avenues of the House, and to make no further disturbance.

The confusion and disorder, however, was so great, that it was evening before the House could proceed to business. The order of the day, with respect to the Lord Mayor, being then called for, most of the principal gentlemen in the opposition declared, that as he was not permitted to be heard by counsel, they considered it a prohibition of justice; and for the same reason they could not be sufficiently informed of the strength of the plea, and therefore they would not stay to give judgment on it; and they accordingly quitted the House. The chief magistrate said, that he looked upon his case as already pre-judged, and would therefore add nothing to what he had before urged in his defence. It was then said, that, though his crimes were of a higher nature than those of Mr. Oliver, yet in consideration of his ill state of health, it should only be moved to take him into the custody of the Serjeant-at-Arms. This intended favour was utterly disclaimed by the Lord Mayor, who said, he wished for none; and that whatever state his health might be in, he gloried in undergoing the same fate with his friend. The motion was accordingly amended, and the question for his commitment to the Tower carried by 202 against 39. The populace took his horses from the coach, and drew it to Temple-bar, though it was then midnight; and, having conceived some suspicion of the deputy Serjeant-at-Arms, who attended him, when they got there they shut the gates and informed his Lordship that his company had been drawn to the utmost extent of their boundaries, and that they must now immediately get out. The chief magistrate comprehended the full extent of the danger they were in, and pledged his honour that the gentlemen with him were his particular friends, who were to accompany him home; upon which they proceeded to the Mansion-house with loud huzzas.

The ministry had been frequently attacked for directing the whole weight of this prosecution against two only of the magistrates, while Mr. Wilkes, who was equally concerned with them, and had led the way in opposing the effects of the proclamation, was allowed to triumph in his contumacy. They were repeatedly asked, Whether they considered him as above or below the law? Whether it was fear or contempt that pro-

cured an impunity to him, in a cause for which others were persecuted with such unremitted violence? It seemed, indeed, that they were very cautious of involving themselves with that gentleman. He had been ordered to attend; upon which he wrote a letter directed to the Speaker, that as no notice had been taken in the order of his being a member, and that his attendance had not been desired in his place, both of which were indispensably necessary; that he now, in the name of his constituents, demanded his seat in Parliament, when he would give a full detail of his conduct in this transaction, which would consequently amount to a complete justification of it. This letter was offered to the Speaker in the House by a member, but, upon an idea of informality, after occasioning a long debate, it was neither received nor admitted to be read. Other orders were issued for his attendance, of which he took no notice; and, at length, a few days before the recess at Easter, he was ordered to attend on the 8th of April. At the same time, knowing that he would not attend, and not knowing how to punish his contumacy, they had got into a great difficulty; and no expedient occurred for freeing themselves from it, except one, that was more necessary than honourable. The House adjourned itself to the 9th, and thus passed over the day appointed for Wilkes to attend. These proceedings in the House gave nearly as little satisfaction to those who took a lead in them, as to those by whom they were opposed. It was said, that the House had been drawn to show a disposition to the use of the strongest measures in support of their privileges; but that all their exertion had tended only to lower the opinion of their power in the estimation of the world. Their commands were not followed by obedience; their menaces were not accompanied by terror; their punishments, by being marks of honour with the people, were converted into rewards. They had indeed committed their members to the Tower; but this extending no further, seemed to confine their power to their own walls, some had been bold enough to assert that, legally, it ought to go no further; that they themselves had seemed to admit the same thing in practice, since they suffered themselves to be insulted by every one abroad with perfect impunity. This state was

admitted upon both sides. The opposition argued from thence that they ought to desist as soon as possible from the course of measures which had brought them into this disgraceful situation. The ministry, from the same facts, drew a different conclusion. They insisted, that they ought to pursue the same course they had begun, until they had obtained a complete obedience to their orders, and a submissive acknowledgment of their undoubted privileges. This latter opinion prevailed. A special commission was appointed by ballot (a measure which had not been taken for a long time on any occasion) in order to the assertion and support of their dignity. Great expectations were formed of a committee thus solemnly chosen, for the decision of such important points so very strongly controverted. The committee sat regularly for a long time. At length, when they came to make that report on which the public attention was so earnestly fixed, it amounted (after an historical deduction, from their journals, of the instances in which the House had exerted the privilege of apprehension and imprisonment,) to no more than a recommendation to the House, that J. Miller should be taken into custody. Nothing was done in consequence of this advice of the committee. The opposition threw out several bitter sarcasms on this miserable result of all the pretended vigour of the ministry; and thus ended this long-agitated and vexatious business.

The Parliament virtually admitted themselves defeated. On the prorogation, which took place July the 23rd, the imprisoned magistrates left the Tower, as a matter of course, the Parliament who held them in prison being dissolved. It was a triumph for the popular party at the time, but the rejoicings which greeted the released Mayor on his return to the Mansion-house, were but slight evidences of the achievement for liberty compared with the enduring testimonies that have subsisted to this day. *The debates have been printed ever since.* The Parliament

made no formal concession of leave ; but they have never since dared to deny the right of the people to a knowledge of the proceedings of their representatives.

We have seen that the *Gazetteer* and *The Middlesex Journal* were the two Papers first attacked ; the other publications that afterwards bore part in the memorable fray were the *Morning Chronicle*, *St. James's Chronicle*, *London*, *Whitehall*, and *General Evening Posts*, and the *London Packet*. The printers of the first two Papers were proceeded against on the 8th of February 1771 ; and steps were taken against the others on the 13th of the following March. The excitement caused by this battle between the Parliament and the press raised the sale of all, and gave the people an impressive idea of the power of this rising Fourth Estate, and of its value as a bulwark of popular liberty.

This chapter is headed with the titles of a Newspaper of 1688 and one of 1788. The *Orange Intelligencer* started in the year of the Revolution. The first number of *The Times* appeared exactly a hundred years afterwards, and they may therefore well stand as two boundary marks, indicating the extremes of a century of Newspaper history. Let us see what that century had done for such publications. The *Intelligencer*, though set up at a time of political importance, and of increased liberty, was small in size and meagre in contents. It appeared only twice a-week, and consisted of two pages, that is to say, one leaf of paper about the size of Charles Knight's *Penny Magazine*, but containing a smaller quantity of matter than two pages of that publication. As a specimen of the contents of these Newspapers, let us examine the *Universal Intelligencer*

of December 11, 1688. It boasts two advertisements; a small paragraph amongst its News describes the seizing of Jefferies, in his attempt to escape from the anger of his enemies; besides this interesting morsel of intelligence, the Paper has sixteen lines of News from Ireland, and eight lines from Scotland; whilst under its News of England, we have not very much more. One of the items tells us, that "on the 7th inst. the Prince of Orange suppt at the Bear Inn, Hungerford." There are other headings, such as "Forrain News" and "Domestick News," but the whole affair is meagre. In the hundred years between this Paper and number one of *The Times*, the Journalists had had much schooling. We have seen what men of talent had contributed to the political discussions of the period, and have noted, moreover, some of the persecutions to which Journalists had been subjected.* When the public required a daily Paper, a daily Paper was produced, and, appearing more frequently, it gave of course a more complete account of the world's proceedings; but how far did that account extend? The first number of *The Daily Courant* consists of one page of paper, something taller than the Penny Magazine; one side of which only is printed upon, the other being blank. The whole matter it contains

* Another instance may be mentioned here. In 1711, Mr. Secretary St. John committed to Newgate fourteen editors, printers, and publishers; and, amongst them, the conductors of *The Protestant Postboy*, *The Flying Post*, and *The Medley*. One of the victims was Ridpath, who, in addition to his sufferings from the power of Bolingbroke, and the virulence of Swift, came in for the ridicule of Pope, who gives him a line in the *Dunciad*.—"To dullness Ridpath is as dear as Mist." This Mist was the printer of another Newspaper which bore his name.

would scarcely fill a column of one of our present morning Journals. The imprint is, "London: E. Mallet, next door to the King's Arms Tavern, at Fleet Bridge." The News of the first number is all from abroad; and the editor takes credit for unusual impartiality, when he states that he intends always to quote the title of the foreign Papers from which he may extract News. Subsequent sheets contain home facts. By 1724, many other Papers had taken the field; and in that year we find, by a list laid before Viscount Townsend, in which the politics of the Papers were indicated, the following entered as "well-affected to King George:—Buckley, Amen Corner, the worthy printer of the Gazette; Matthew Jenour, Giltspur Street, printer of The Flying Post; Leach, Old Bailey, of the Postman; Parker, Salisbury Street, Halfpenny Post; Read, Whitefriars, Halfpenny Post and Weekly Journal; Wilkins, Little Britain, Whitehall Evening Post, and Whitehall and London Journal."

As time progressed, the Papers increased in size as well as number. Four pages of type began to be given; and, in the files at the British Museum, we find, amongst a crowd of by-gone names, many familiar titles. There are Posts, and Heralds, and Chronicles, and Advertisers. Post and Advertiser seem to have long been favourite headings for Papers—the first doubtless, from the custom of preparing News for the post-bags; the other when advertisements required circulation, and became a source of income to Newspapers. There were Daily Posts and Evening Posts,* St. James's

* Holcroft found an editor of a Newspaper—The Whitehall Evening Post—who so far approved of his essays as to pay five shillings a

Posts, Whitehall Posts, Daily Advertisers, General Advertisers, Public Advertisers,* Universal Advertisers, and Morning Advertisers. One facetious journalist headed his Paper, "All Alive and Merry, or The London Daily Post;"—probably his enemies had raised the false rumour that he was defunct, and he took this mode of displaying their mistake. Somewhat later, Journals, Ledgers, Gazetteers, Mercury's, Heralds, and Registers appear in the list, and when the hundred years from number one of the Orange Intelligencer is complete comes number one of The Times.

The first number of The Times is dated January, 1788; the heading being, "The Times, or Daily Universal Register, printed logographically." Its price is marked threepence, and its imprint runs, "Printed for J. Walter at the Logographic Press, Printing House Square, near Apothecaries' Hall, Blackfriars, where Advertisements, Essays, Letters, and Articles of Intelligence will be taken in. Also at Mr. Metteneus's, confectioner, Charing Cross; Mr. Whiteeavese's, watchmaker, No. 30, opposite St. Dunstan's Church, Fleet Street; Mr. Axtell's No. 1, Finch Lane, Cornhill; at Mr. Bushby's, No. 1, Catherine Street, Strand; Mr. Rose's, silk-dyer, Spring Gardens; and Mr. Grives's, stationer, No. 103, corner of Fountain Court, Strand." In appearance, size, and contents, the first number of The Times shows the great advance which a century had enabled the Newspapers to make.

column for them. One of these productions was copied into The Annual Register.—Hazlitt's Life of Holcroft.

* Some further reference to the Paper of "Junius" Woodfall will be found in the chapter on London Morning Papers.

Compared with the first number of *The Intelligencer* of 1688, the number one of the new journal, *The Times* of 1788, is a giant. It contains certainly ten times as much matter; it has four pages, each of four columns somewhat smaller than *The Globe* or *Standard* now present; it has sixty-three advertisements, amongst which are announcements of a play, with Kemble and Mrs. Siddons, at Drury Lane; of a concert, by his Majesty's command, "at the concert room in Tottenham Court Road;" and of lottery tickets to be had at offices open for the sale of those then attractive documents. Mr. Walter also had many naval and other Government advertisements. In the columns of this infant number of a Journal now so famous in the world, there is foreign as well as home intelligence; poetry; shipping news; and paragraphs of gossip, some of them rather doubtful in character. In the prospectus or address to the readers of the candidate for public support, is explained that *The Times* was a title assumed as better adapted to the Paper than the heading by which it had previously been known; for *The Times* was a continuation of *The London Daily Universal Register*, started on the 13th of January, 1785, of which more will be found in the chapter on the London Daily Papers. *The Times* came into a field already well occupied by the *Morning Herald*, *Chronicle*, *Post*, and *Advertiser*; but enough has been said, in the present place, to indicate the advances made during a century by the Newspaper press. During this period it had been courted by ministers, been employed by politicians, had come triumphantly out of a contest with Parliament, whilst other victories had earned the praises of a poet;

for does not Cowper—who shrunk so sensitively from a world which he was nevertheless anxious to hear of and able to instruct—does not Cowper sing:—

This folio of four pages, happy work,
Which not e'en critics criticise.

* * * *

What is it but a map of busy life,
Its fluctuations and its vast concerns?
Here runs the mountainous and craggy ridge
That tempts ambition. On the summit see
The seals of office glitter in his eyes;
He climbs, he pants, he grasps them. At his heels,
Close at his heels a demagogue ascends,
And with a dexterous jerk soon twists him down,
And wins them, but to lose them in his turn.
Here rills of oily eloquence in soft
Meanders lubricate the course they take;
The modest speaker is ashamed and grieved,
To engross a moment's notice; and yet begs,
Begs a propitious ear for his poor thoughts,
However trivial all that he conceives.
Sweet bashfulness! it claims at least this praise;
The dearth of information and good sense,
That it foretells us, always comes to pass.
Cataracts of declamation thunder here;
There forests of no meaning spread the page,
In which all comprehension wanders lost;
While fields of pleasantries amuse us there
With merry descants on a nation's woes.
The rest appears a wilderness of strange
But gay confusion; roses for the cheeks,
And lilies for the brows of faded age;
Teeth for the toothless, ringlets for the bald,
Heaven, earth, and ocean plundered of their sweets,
Nectarous essences, Olympian dews,
Sermons and city-feasts, and favourite airs,
Ethereal journeys, submarine exploits,

And Katerfelto, with his hair on end,
At his own wonders, wondering for his bread.

'T is pleasant from the loopholes of retreat
To peep at such a world; to see the stir
Of the great Babel, and not feel the crowd;
To hear the roar she sends through all her gates
At a safe distance, where the dying sound
Falls a soft murmur on the uninjured ear.
Thus sitting, and surveying thus at ease
The globe and its concerns, I seem advanced
To some secure and more than mortal height,
That liberates and exempts me from them all.
It turns submitted to my view, turns round
With all its generations; I behold
The tumult and am still. The sound of war
Has lost its terrors ere it reaches me;
Grieves but alarms me not. I mourn the pride
And avarice, that make man wolf to man;
Hear the faint echo of those brazen throats,
By which he speaks the language of the heart,
And sigh, but never tremble at the sound,
He travels and expatiates, as the bee
From flower to flower, so he from land to land,
The manners, customs, policy of all
Pay contribution to the store he gleans;
He sucks intelligence in every clime,
And spreads the honey of his deep research
At his return—a rich repast for me.
He travels and I too. I tread his deck,
Ascend his topmast, through his peering eyes
Discover countries, with a kindred heart
Suffer his woes, and share in his escapes;
While fancy like the finger of a clock,
Runs the great circuit and is still at home.

CHAPTER VI.

NEWSPAPERS AND JOURNALISTS FROM 1788 TO 1800.

“The liberties of the press and the liberties of the people must stand or fall together.”—HUME.

The Press in the Reign of George the Third.—Numerous Laws and Prosecutions.—Statute on Libel.—Trial of Paine, and Speech of Erskine.—Sheridan.—Burke.—Crabbe.—Summary of Acts of Parliament.—Attempts to gag the Newspapers.

THE reign of George the Third was an eventful one for the press. In the days of no previous monarch had so many laws been passed having reference to the publication of News, nor had public writers ever before taken up so bold a position as the one they assumed during the life of the king who lost America and added several hundred millions to the national debt. When the revolutionary spirit roused America to a rebellion that eventuated in independence, the press was called upon to play an important part, and in spite of repressive enactments, public prosecutions, and heavy sentences when convictions were obtained, the doctrines of progressive reform and social amelioration found expression in type, to the advancement of political knowledge amongst the people, and the improvement of our political institutions. The spread

of republican doctrines through the neighbouring country when its first revolutionary struggle began, gave a great impetus to political inquiry in England, nor was there any lack of pens ready to advocate doctrines very obnoxious to the existing authorities. A ready sale being found for such publications, their authors had a renewed stimulus for production, and when the law was called upon to punish the verbal rebellion, the honours of martyrdom were awarded to those who had already gained the profits of sedition. One hundred and fifty thousand copies of Paine's *Rights of Man* are said to have been sold in a marvellously short time, whilst upwards of thirty thousand impressions of Burke's reply found purchasers. This amount of attention given to two political combatants shows in itself the great interest taken by the public in the questions debated. Besides these two well-known partizans, a host of other writers came into the arena to claim the attention of the people, and to give discomfort to the government,—and amongst them were Mackintosh and Cobbett. Although each fresh law added to the bonds of the press, and crippled its operations by increasing the tax upon Newspapers, such publications continued to grow in numbers, size, and importance. A glance at the stated circulation of Papers during forty years of the eighteenth century will exhibit their rate of increase. The numbers in 1753 were 7,411,757; in 1760, 9,484,791; in 1790, 14,035,739; in 1791, 14,794,153; whilst in 1792 the number rose to 15,005,760.

Many prosecutions took place during the last quarter of the eighteenth century, and amongst those

who figured conspicuously as a defendant was Mr. Woodfall of the *Public Advertiser*. In 1776, that spirited journalist was sued for libel by Lord Chatham, but escaped conviction through a flaw in the proceedings. In 1779, Woodfall was less fortunate. He ventured to print an expression of joy that Admiral Keppel, the companion of Anson, had triumphed over his enemies by securing an acquittal by court-martial, and for this Woodfall was tried, convicted, fined, and sentenced to twelve months imprisonment in Newgate. He also bore the brunt of actions by Edmund Burke and by Lord Loughborough. The former had the modesty to lay his damages for a libel in the *Public Advertiser* at £5000; the jury gave £100. A similar case of difference of opinion arose in 1786, when Almon was proceeded against by Pitt for a libel in the *General Advertiser*. The minister estimated the damage done to his character at £10,000, a sum which was reduced in the verdict to £150. In the same year that Lord Chatham proceeded against Woodfall, the Newspapers in which notices of the Constitutional Society appeared felt the displeasure of the Government. On the 17th of December, 1776, J. Baldwin, J. Miller, J. Wilkie, and H. Randall, four Newspaper printers, were found guilty of publishing a letter from the Constitutional Society respecting the payment of £100 to Franklin—three of them were fined £100 each. All the printers who inserted an advertisement from the Constitutional Society, signed by Horne (Tooke), were served with writs; but Horne being convicted and fined, the affair dropped as regards the Newspapers.

Whilst the case of Warren Hastings was before

Parliament, the Newspapers came in for a share of the attention and the anger of the House of Commons. Mr. Markham, a member of that body, called attention to a paragraph in a public journal, in which it was said, "that the trial of Mr. Hastings was to be put off for another sessions unless the House of Lords had spirit enough to put an end to so shameful a business." "After some remarks," says the *Annual Register*,* "upon the scandalous licentiousness of the press, a motion was made and carried unanimously, for prosecuting the printer of the Paper. In the course of the conversation which this motion gave rise to, Mr. Burke read from one of the public Prints a curious paper, purporting to be a bill of charges made by the editor upon Major Scott, for sundry articles inserted in the Paper on his account. They chiefly consisted of speeches, letters, paragraphs composed by him, and amongst the rest was this item, 'For attacking the veracity of Mr. Burke, 3s. 6d.'"

When the Chancellor of the Exchequer, brought forward his financial statement in June, 1789, Mr. Pitt proposed to raise an additional hundred thousand a year by new taxes. He fixed on the stamp duties as most convenient for his purpose, and proposed to augment certain of them to secure the sum he wanted. First on his list came Newspapers, which he suggested should pay an additional halfpenny each, and from this source he anticipated an annual return of £28,000. His second tax was an additional sixpence upon each advertisement, and the gain from this he estimated at £9,000. Probates, legacies,

* *Annual Register*, Vol. XXXI., p. 164.

carriages, and horses, also came in for a share of the money-wanting minister's regard, and much opposition was expressed to the demand. Sheridan was amongst those who demanded inquiry into the real state of the national finances. After six years of peace, it was declared to be unreasonable and impolitic to ask for additional taxes. The wit, dramatist, and politician launched one of his brilliant speeches against the Government, and exhibited in very startling light the mismanagement and unsound state of the national system of finance. Grenville followed Sheridan, to repair, by his advocacy of the Government scheme, the injury which the opposition speech had done it, but the upshot of the debate was the old story of a strong majority, and the new taxes on Newspapers were voted by the House.

Sampson Perry, printer of *The Argus*, was found guilty, December 10, 1792, in the Court of Queen's Bench, of publishing a libel on the House of Commons, in stating, "the House of Commons were not the real representatives of the people." A reward of £100 was offered for Perry's apprehension. The title of *Argus* had more than once borne ill-repute. Shortly before this period, one Lewis Goldsmith, an English Jew and notary, had attracted persecution by a publication called *Crimes of Cabinets*. To escape the consequences of a sentence for libel and sedition, he fled to France, and there edited a Paper called *The Argus*, with funds supplied by the French Minister of Foreign Affairs. In this he fiercely attacked everything English. Getting information of a police plot for delivering him up to the British authorities, he contrived, it is

said, to make terms for himself, and returned to this country, where he underwent the form of a trial for treason, and was discharged; whereupon he began a weekly Paper called the *Anti-Gallican Monitor*, in which he assailed Bonaparte most virulently, and continued to do so till Louis XVIII. was restored, when that monarch, it is stated, rewarded this venal writer with a large gratuity and a pension.

A most important change in the law was effected in 1792. In that year* an act was passed to remove doubts respecting the functions of juries in cases of libel, by which the law was declared to be, that on the trial of an indictment for a libel, the jury may give a general verdict upon the whole matter put in issue, and shall not be required by the court to find the defendant guilty merely on proof of the publication, and of the sense ascribed to it in the information—the judges giving their opinion and directions on the matter at issue as in other criminal cases. This enactment, so influential in most trials where the liberty of the press is concerned, draws from Mr. Hallam the following remarks:—"The liberty of the press," says the writer of the *Constitutional History*, "consists, in a strict sense, merely in an exemption from the superintendence of a licenser. But it cannot be said to exist in any security, or sufficiently for its principal ends, where discussions of a political or religious nature, whether general or particular, are restrained by too narrow and severe limitations. The law of libel has always been indefinite; an evil probably beyond any complete remedy, but which evidently

* 32 Geo. III., c. 60.

renders the liberty of free discussion rather more precarious in its exercise than might be wished. It appears to have been the received doctrine in Westminster Hall before the Revolution, that no man might publish a writing reflecting on the Government, nor upon the character, or even capacity and fitness, of any one employed in it. Nothing having passed to change the law, the law remained as before. Hence, in the case of *Tutchin*, it is laid down by Holt, that to possess the people with an ill opinion of the Government, that is, of the Ministry, is a libel. And the Attorney General, in his speech for the prosecution, urges, that there can be no reflection on those that are in office under Her Majesty, but it must cast some reflection on the Queen who employs them. Yet, in this case, the censure upon the Administration, in the passages selected for prosecution, was merely general, and without reference to any person, upon which the counsel for *Tutchin* vainly relied.*

“It is manifest that such a doctrine was irreconcilable with the interests of any party out of power, whose best hope to regain it is commonly by prepossessing the nation with a bad opinion of their adversaries. Nor would it have been possible for any Ministry to stop the torrent of a free press, under the secret guidance of a powerful faction, by a few indictments

* State Trials, XIV. 1103.—1128. Mr. Justice Powell told the Rev. Mr. Stephens, in passing sentence on him for a libel on Harley and Marlborough, that to traduce the Queen's Ministers was a reflection on the Queen herself. It is said, however, that this and other prosecutions were generally blamed, for the public feeling was strong in favour of the liberty of the press. Boyer's *Right of Queen Anne*, p. 286, quoted by Hallam.

for libel. They found it generally more expedient and more agreeable to borrow weapons from the same armoury, and retaliate with unsparing invective and calumny. This was first practised (first, I mean, with the avowed countenance of Government) by Swift in the *Examiner*, and some of his other writings. And both parties soon went such lengths in this warfare, that it became tacitly understood that the public characters of statesmen, and the measures of administrations, are the fair topics of pretty severe attack. Less than this, indeed, would not have contented the political temper of the nation, gradually and without intermission becoming more democratical, and more capable, as well as more accustomed, to judge of its general interests, and of those to whom they were intrusted. The just limit between political and private censure has been far better drawn in these later times, licentious as we still may justly deem the press, than in an age when courts of justice had not deigned to acknowledge, as they do at the present, its theoretical liberty. No writer, except of the most broken reputation, would venture at this day on the malignant calumnies of Swift.~“Meanwhile the judges naturally adhered to their established doctrine, and, in prosecutions for political libels, were very little inclined to favour what they deemed the presumption, if not the licentiousness, of the press. They advanced a little farther than their predecessors; and, contrary to the practice both before and after the Revolution, laid it down at length as an absolute principle, that falsehood, though always alleged in the indictment, was not essential to the guilt of the libel, refusing to admit its

truth to be pleaded, or even given in evidence, or even urged by way of mitigation of punishment.* But as the defendant could only be convicted by the verdict of a jury, and jurors both partook of the general sentiment in favour of free discussion, and might in certain cases have acquired some prepossessions as to the real truth of the supposed libel, which the court's refusal to enter upon it could not remove, they were often reluctant to find a verdict of guilty; and hence arose, by degrees, a sort of contention, which sometimes showed itself upon trials, and divided both the profession of the law and the general public. The judges and lawyers, for the most part, maintained that the province of the jury was only to determine the fact of publication, and also whether what are called the innuendoes were properly filled up, that is, whether the libel meant that which it was alleged in the indictment to mean, not whether such meaning were criminal or innocent, a question of law which the court were exclusively competent to decide. That the jury might acquit at their pleasure, was undeniable; but it was asserted that they would do so in violation of their oaths and duty, if they should reject the opinion of the judge by whom they were to be guided as to the general law. Others

* Pemberton permitted evidence to be given as to the truth of an alleged libel, in protesting that Sir Edmondbury Godfrey had murdered himself. And what may be reckoned more important, in a trial of the famous Fuller on a similar charge, Holt repeatedly (not less than five times) offered to let him prove the truth if he could. *State Trials*, XIV., 534. But on the trial of Franklin, in 1731, for publishing a libel in *The Craftsman*, Lord Raymond positively refused to admit of any evidence to prove the matters to be true; and said he was only abiding by what had been formerly done in other cases of the like nature.—*Id.*, XVII., 659.

of great name in our jurisprudence, and the majority of the public at large, conceiving that this would throw the liberty of the press altogether into the hands of the judges, maintained that the jury had a strict right to take the whole matter into their consideration, and determine the defendant's criminality or innocence according to the nature and circumstances of the publication. This controversy was settled by Fox's libel bill in 1792. It declares the right of the jury to find a general verdict upon the whole matter; and though, from causes easy to explain, it is not drawn in the most intelligible and consistent manner, was certainly designed to turn the defendant's intention, as it might be laudable or innocent, seditious or malignant, into a matter of fact for their inquiry and decision."

On the 25th of May, 1792, a royal proclamation against seditious writings was brought before the notice of the House of Commons, when Mr. Grey, afterwards the hero of Parliamentary Reform, spoke warmly against the spirit of this attempt to check the free expression of thought. He said he scarcely knew how to express himself upon it, because he hardly could distinguish whether the sentiments which gave birth to it were more impotent or malicious. He declared that the efforts of the Association of the Friends of the People had alarmed the Ministers, who had concerted this measure for the purpose of insidiously separating those who had been united. He said the means to be adopted were disgraceful. The King's officers, his magistrates, "were to make diligent inquiry in order to discover the authors and publishers

of wicked and seditious writings ;” the real meaning of which was, that a system of espionage was to take place by order of the Crown. The very idea was surprising as well as odious, that a proclamation should issue from the Sovereign of a free people commanding such a system to be supported by spies and informers. But the arguments of the friends of liberty were ineffectual ; for never, in the whole course of English history, were so many prosecutions instituted against writers, printers, and publishers, as during the reign of the King who issued this proclamation, that called forth the eloquent denunciation of Grey ; and never, perhaps, did any monarch find a more able and willing legal functionary, to promote a crusade against the press, than George III. found in Scott, afterwards Lord Eldon. During a debate, in 1795, this indefatigable lawyer said, “ the House should remember, that there had been more prosecutions for libel within the last two years than there had been for twenty years before.” He evidently prided himself on the efforts taken to subdue the press, and from the day when he uttered the expression, till the end of the century, no relaxation of the powers of persecution were visible.

In 1792, all the authorities and arguments for liberty of the press were placed in array before the public, at a time when great attention was drawn to the subject by the political circumstances of the time. The French Revolution was in full force ; and an Englishman, Thomas Paine, had been elected to a seat in the republican assembly then sitting in Paris. Before he left London, to assume his new dignity, he

had published his well-known attack on monarchical government, under the title of the "Rights of Man." It sold in all directions, and the Government deemed it prudent to institute a prosecution against the author, though he was beyond their reach. They, accordingly, proceeded by information in the King's Bench, and the case came on for trial on the 18th of December, 1792. The lawyers engaged in this case were all notable men, and amongst those for the prosecution were the future Lord Chancellor Eldon, then Sir James Scott, Maedonald, and Wood, both afterwards judges, and the Hon. Spenser Perceval, who was junior on the occasion. Five counsel appeared for the defence, and amongst them stood Erskine, who, by his address to the jury in favour of freedom of the press, added another to his many previous oratorical triumphs. The trial came on at Guildhall, before Lord Kenyon; and Attorney General Maedonald having opened his case, and put in evidence letters from Paine acknowledging the authorship of the book, Erskine addressed himself to the defence. After referring to some preliminary points, he declared that the cause resolved itself into a question of the deepest interest to all—the nature and extent of the liberty of the English press. That there might be no misunderstanding, he began by declaring himself a friend to monarchy and the English constitution, but prepared to defend his client upon principles not only consistent with the permanence and security of that constitution, but without which it could never have had an existence. The proposition he declared himself prepared to maintain as the basis of the

liberty of the press was, "That every man not intending to mislead, but seeking to enlighten others with what his own reason and conscience, however erroneously, had dictated to him as truth, may address himself to the universal reason of a whole nation, either upon the subject of government in general, or upon that of our own particular country;—that he may analyze the principles of its constitution,—point out its errors and defects,—examine and publish its corruptions,—warn his fellow-citizens against their ruinous consequences,—and exert his whole faculties in pointing out the most advantageous changes in establishments which he considers to be radically defective or sliding from their object by abuse. All this every subject of this country has a right to do, if he contemplates only what he thinks would be for its advantage, and but seeks to change the public mind by the conviction which flows from reasonings dictated by conscience.

"If, indeed, he writes *what he does not think*;—if, contemplating the misery of others, he wickedly condemns what his own understanding approves;—or, even admitting his real disgust against the Government or its corruptions, if he *calumniates living magistrates*,—or holds out to individuals, that they have a right to run before the public mind in their *conduct*,—that they may oppose by contumacy or force what private reason only disapproves,—that they may disobey the law, because their judgment condemns it,—or resist the public will, because they honestly wish to change it—he is then a criminal upon every principle of rational policy, as well as upon the immemorial pre-

ccidents of English justice; because such a person seeks to disunite individuals from their duty to the whole, and excites to overt acts of *misconduct* in a part of the community, instead of endeavouring to change, by the impulse of reason, that universal assent which, in this, and in every country, constitutes the law for all.

“ Let me not be suspected to be contending, that it is lawful to write a book pointing out defects in the English Government, and exciting individuals to destroy its sanctions, and to refuse obedience. But, on the other hand, I do contend that it is lawful to address the English nation on these momentous subjects; for, had it not been for this unalienable right, thanks be to God and our fathers for establishing it! how should we have had this constitution which we so loudly boast of? If, in the march of the human mind, no man could have gone before the establishments of the time he lived in, how could our establishment, by reiterated changes, have become what it is? —if no man could have awakened the public mind to errors and abuses in our Government, how could it have passed on from stage to stage, through reformation and revolution, so as to have arrived from barbarism to such a pitch of happiness and perfection, that the Attorney General considers it as profanation to touch it farther, or to look for any future amendment?

“ In this manner power has reasoned in every age: —Government, in *its own estimation*, has been *at all times* a system of perfection; but a free press has examined and detected its errors, and the people have from time to time reformed them. This freedom has

alone made our Government what it is ; this freedom alone can preserve it."

After an able argument, to show that his client was justified in the line of reasoning adopted in the book that was the subject of prosecution, Erskine reminded the jury of the then recent change in the law that gave them greater power in such cases. "Although" said he, "my arguments upon the liberty of the press may not to-day be honoured with your or the court's approbation, I shall retire not at all disheartened, consoled myself with the reflection that a season may arrive for their reception. The most essential liberties of mankind have been but slowly and gradually received ; and so very late, indeed, do some of them come to maturity, that, notwithstanding the Attorney General tells you that the very question I am now agitating is most peculiarly for *your* consideration, AS A JURY, under our ANCIENT constitution, yet I must remind both YOU and HIM that your jurisdiction to consider and deal with it at all in judgment is but A YEAR OLD. Before that late period, I ventured to maintain this very RIGHT OF A JURY over the question of libel under the same *ancient* constitution (I do not mean before the noble judge now present, for the matter was gone to rest in the courts long before he came to sit where he does, but) before a noble and reverend magistrate of the most exalted understanding, and of the most uncorrupted integrity :* he treated me not with contempt, indeed, for of that his nature was incapable ; but he put me aside with indulgence, as you do a child while it is lisping its prattle out of season ;

* Earl of Mansfield.

and if this cause had been tried *then*, instead of *now*, the defendant must have been instantly convicted on the proof of the publication, whatever *you* might have thought of his case. *Yet I have lived to see it resolved, by an almost unanimous vote of the whole Parliament of England, that I had all along been in the right.* If this be not an awful lesson of caution concerning opinions, where are such lessons to be read?

“Gentlemen, I have insisted, at great length, upon the origin of governments, and detailed the authorities which you have heard upon the subject, because I consider it to be not only an essential support, but the very foundation of the liberty of the press. If Mr. Burke be right in HIS principles of government, I admit that the press, in my sense of its freedom, ought not to be free, *nor free in any sense at all*; and that all addresses to the people upon the subject of government, and all speculations of amendment, of what kind or nature soever, are illegal and criminal;—since, if the people have, without possible recall, delegated all their authorities, they have no jurisdiction to act, and therefore none to think and write upon such subjects; and it would be a libel to arraign Government or any of its acts before those that have no jurisdiction to correct them. But, on the other hand, as it is a settled rule in the law of England that the subject may always address a competent jurisdiction, no legal argument can shake the freedom of the press in my sense of it, if I am supported in my doctrines concerning the great unalienable right of the people to reform or to change their governments.

“It is because the liberty of the press resolves itself into this great issue, that it has been, in every country, the last liberty which subjects have been able to wrest from power. OTHER liberties are held *under* governments, but the liberty of opinion keeps GOVERNMENTS THEMSELVES in due subjection to their duties. This has produced the martyrdom of truth in every age, and the world has been only purged from ignorance with the innocent blood of those who have enlightened it.

“Gentlemen, my strength and time are wasted, and I can only make this melancholy history pass like a shadow before you.

“I shall begin with the grand type and example.

“The universal God of nature,—the Saviour of mankind,—the fountain of all light, who came to pluck the world from eternal darkness, expired upon a cross,—the scoff of infidel scorn; and his blessed apostles followed him in the train of martyrs. When he came in the flesh, he might have come like the Mahometan Prophet, as a powerful sovereign, and propagated his religion with an unconquerable sword, which even now, after the lapse of ages, is but slowly advancing, under the influence of reason, over the face of the earth; but such a process would have been inconsistent with his mission, which was to confound the pride, and to establish the universal rights of men;—he came therefore in that lowly state which is represented in the Gospel, and preached his consolations to the poor.

“When the foundation of this religion was discovered to be invulnerable and immortal, we find

political power taking the church into partnership ;—thus began the corruptions both of religion and civil power, and, hand-in-hand together, what havoc have they not made in the world !—ruling by ignorance and the persecution of truth : but this very persecution only hastened the revival of letters and liberty. Nay, you will find, that in the exact proportion that knowledge and learning have been beat down and fettered, they have destroyed the governments which bound them. The court of Star Chamber, the first restriction of the press of England, was erected previous to all the great changes in the constitution. From that moment no man could legally write without an imprimatur from the state ;—but truth and freedom found their way with greater force through secret channels ; and the unhappy Charles, *unwarned by a free press*, was brought to an ignominious death. When men can freely communicate their thoughts and their sufferings, real or imaginary, their passions spend themselves in air, like gunpowder scattered upon the surface ; but pent up by terrors, they work unseen, burst forth in a moment, and destroy every thing in their course. Let reason be opposed to reason, and argument to argument, and every good government will be safe.

“ The usurper, Cromwell, pursued the same system of restraint in support of his government, and the end of it speedily followed.

“ At the Restoration of Charles II., the Star Chamber ordinance of 1637 was worked up into an act of Parliament, and was followed up during that reign, and the short one that followed it, by the most sanguinary

persecutions; but what fact in history is more notorious, than that this blind and contemptible policy prepared and hastened the Revolution? At that great era these cobwebs were all brushed away:—the freedom of the press was regenerated, and the country, ruled by its affections, has since enjoyed a century of tranquillity and glory. Thus I have maintained, by English history, that, in proportion as the press has been free, English government has been secure.”

Erskine then went on to quote the authority of Milton, Hume, and others, who had argued for the liberty of the press, and in the course of his eloquent harangue, told the story of Harrington's *Oceana* and Cromwell. “The *Oceana* was seized by the Usurper as a libel, and the way it was recovered is remarkable. I mention it to show that Cromwell was a wise man in himself, and knew on what governments must stand for their support. Harrington waited on the Protector's daughter to beg for his book, which her father had taken, and on entering her apartment, snatched up her child and ran away. On her following him with surprise and terror, he turned to her and said, ‘I know what you feel as a mother, feel then for ME; your father has got my child:’ meaning the *Oceana*. The *Oceana* was afterwards restored on her petition: Cromwell answering with the sagacity of a sound politician, ‘Let him have his book; if my government is made to stand, it has nothing to fear from PAPER SHOT.’”

Erskine thus wound up his address:—“Engage the people by their affections,—convince their reason,—and they will be loyal from the only principle that

can make loyalty sincere, vigorous, or rational,—a conviction that it is their truest interest, and that their government is for their good. Constraint is the natural parent of resistance, and a pregnant proof that reason is not on the side of those who use it. You must all remember Lucian's pleasant story: Jupiter and a countryman were walking together conversing with great freedom and familiarity upon the subject of heaven and earth. The countryman listened with attention and acquiescence, while Jupiter strove only to convince him; but happening to hint a doubt, Jupiter turned hastily round, and threatened him with his thunder. 'Ah! ah!' says the countryman, 'now, Jupiter, I know that you are wrong; you are always wrong when you appeal to your thunder.' This is the case with me—I can reason with the people of England, but I cannot fight against the thunder of authority. Gentlemen, this is my defence for free opinions."

But the eloquence of the advocate, the arguments of the scholar and the politician, availed nothing with the jury on whom they were employed. A verdict of guilty was returned the minute Erskine concluded his address; but his speech, thanks to short-hand, remains to us, and has often since been quoted, when the liberty of the press he argued for, has been assailed.

Several other trials took place about this time, at the instance of the Attorney General, but verdicts were not always obtained by the Government. Juries, at times, availed themselves of the power given by the new libel law, and the legal proceedings, taken with a

view to the suppression of the doctrines of the reformers, had had the effect of increasing the popular appetite for political inquiry. Whilst Paine was regarded as a great authority on one side, Burke was champion on the other. The great orator seems to have been assailed with much unfair abuse, and his friends did not fail to retort when opportunity offered. Burke's kindness to Crabbe apparently induced the latter to take up a pen against the Journals which had attacked his patron. Hence, it may be, the first idea of Crabbe's poem, *The Newspaper*. This was first published in 1785, and was dedicated to Lord Thurlow, who had shown Crabbe many favours. The poet was living at Belvoir Castle when he sketched his unfavourable portrait of the Newspapers, and the protégé of an aristocratic party no doubt spoke the sentiments of those by whose munificence he had been raised from destitution to a snug competence in the Church. In a note to the edition of Crabbe's poems by his son, it is explained, that at the time the Newspaper was written, "party spirit ran unusually high; the Coalition Ministry, of which Mr. Burke was a member, had recently been removed; the India bills, both of Fox and Pitt, had been thrown out; and the public mind was greatly inflamed by the events of the six weeks' Westminster election, and the consequent scrutiny. Notwithstanding the philosophical tone of his preface, it seems highly probable that Crabbe had been moved to take up the subject by the indignation he felt at seeing Mr. Burke daily abused, at 'this busy bustling time,' by one set of party writers, while the Duke of Portland was equally the victim of another. Mr. Burke had, at this

time, become extremely unpopular, both in and out of the House. At the opening of the new Parliament, in May, 1784, so strong was the combination against him, that the moment of his rising became a signal for coughings and other symptoms of dislike. On one occasion he stopped short in his argument to remark, that he ‘could teach a pack of hounds to yelp with more melody and equal comprehension.’”

The versifier wishes to be very severe upon the political publications, which people would read, whilst they declined the perusal of poetical ones :—

A TIME like this, a busy, bustling time,
Suits ill with writers, very ill with rhyme ;
Unheard we sing, when party rage runs strong,
And mightier madness checks the flowing song :

* * * * *

Sing, drooping muse, the cause of thy decline ;
Why reign no more the once triumphant nine ?
Alas ! new charms the wavering many gain,
And rival sheets the reader's eye detain :
A daily swarm, that banish every muse,
Come flying forth, and mortals call them NEWS :
For these, unread the noblest volumes lie ;
For these, in sheets unsoiled, the muses die :
Unbought, unblest, the virgin copies wait
In vain for fame, and sink, unseen, to fate.

Since, then, the town forsakes us for our foes,
The smoothest numbers for the harshest prose !
Let us, with generous scorn, the taste deride,
And sing our rivals with a rivals' pride.

Amongst the Journals mentioned by Crabbe, we recognise the titles of four existing Daily Papers :—

I sing of NEWS, and all those rapid sheets
 The rattling hawker vends through gaping streets ;
 Whate'er their name, whate'er the time they fly,
 Damp from the press, to charm the reader's eye :
 For, soon as morning dawns with roseate hue,
 The *Herald* of the morn arises too ;
Post after *Post* succeeds, and, all day long,
Gazettes and *Ledgers* swarm, a noisy throng.

When evening comes, she comes with all her train
 Of *Ledgers*, *Chronicles*, and *Posts* again,
 Like bats, appearing, when the sun goes down,
 From holes obscure and corners of the town.
 Of all these trifles, all like these, I write ;
 Oh ! like my subject could my song delight,
 The crowd at *Lloyd's* one poet's name should raise,
 And all the *Alley* echo to his praise.

A Sunday Paper of his day finds special notice at
 the hands of the newly ordained poet-priest :—

No changing season makes their number less,
 Nor Sunday shines a Sabbath on the press !

Then lo ! the sainted *Monitor* is born,
 Whose pious face some sacred texts adorn :
 As artful sinners cloak the secret sin,
 To veil with seeming grace the guile within ;

So moral essays on his front appear,
 But all his carnal business in the rear :
 The fresh-coin'd lie, the secret whisper'd last,
 And all the gleanings of the six days past.

With these retired, through half the Sabbath-day,
 The London loungers yawning his hours away.

After some pages of mingled description and
 abuse, we have a long passage which shows clearly

enough that Crabbe read and enjoyed a Newspaper with as much zest as any of those whom he affects to ridicule for their love of News.

To you all readers turn, and they can look
Pleased on a Paper, who abhor a book ;
Those, who ne'er deign'd their Bible to peruse,
Would think it hard to be denied their News ;
Sinners and saints, the wisest with the weak,
Here mingle tastes, and one amusement seek ;
This, like the public inn, provides a treat,
Where each promiscuous guest sits down to eat
And such this mental food, as we may call
Something to all men and to some men all.

Next, in what rare production shall we trace,
Such various subjects in so small a space ?
As the first ship upon the waters bore
Incongruous kinds who never met before ;
Or as some curious virtuoso joins,
In one small room, moths, minerals, and coins,
Birds, beasts, and fishes ; nor refuses place
To serpents, toads, and all the reptile race ;
So here, compressed within a single sheet,
Great things and small, the mean and mighty meet ;
'T is this which makes all Europe's business known,
Yet here a private man may place his own ;
And, where he reads of Lords and Commons, he
May tell their honours that he sells rappee.

Add next th' amusement which the motley page
Affords to either sex and every age :
Lo ! where it comes before the cheerful fire,—
Damps from the press in smoky curls aspire,
(As from the earth the sun exhales the dew,)
Ere we can read the wonders that ensue :
Then eager every eye surveys the part,
That brings its favourite subject to the heart

Grave politicians look for facts alone,
 And gravely add conjectures of their own :
 The sprightly nymph, who never broke her rest
 For tottering crowns, or mighty lands opprest,
 Finds broils and battles, but neglects them all
 For songs and suits, a birth-day, or a ball :
 The keen warm man o'erlooks each idle tale
 For "Money's wanted," and "Estates on Sale ;"
 While some with equal minds to all attend,
 Pleased with each part, and grieved to find an end.

So charm the News ; but we, who, far from town
 Wait till the postman brings the packet down,
 Once in a week, a vacant day behold,
 And stay for tidings, till they're three days old :
 That day arrives ; no welcome post appears,
 But the dull morn a sullen aspect wears ;
 We meet, but ah ! without our wonted smile,
 To talk of headaches, and complain of bile ;
 Sullen we ponder o'er a dull repast,
 Nor feast the body while the mind must fast.

A master-passion is the love of News,
 Not music so commands, nor so the muse :
 Give poets claret, they grow idle soon ;
 Feed the musician, and he's out of tune ;
 But the sick mind, of this disease possest,
 Flies from all cure and sickens when at rest.

Written apparently to serve a temporary purpose, this poem may have done what its author desired by pleasing his patrons ; but beyond that very little can be said, for it is certainly very inferior to the other productions of Crabbe.

Another man of genius, Richard Brinsley Sheridan, interested himself at this period in the question of the liberty of free printing. With a number of other

gentlemen of the liberal party, he promoted the objects of an association established under the title of "The Society of Friends of the Liberty of the Press." This body held meetings at the Freemasons' Tavern, and numerous patriotic speeches, and several spirited pamphlets, were among the results of the proceedings.* Several fine passages in Sheridan's speeches will be remembered, in which he refers to the value of a free press, and to the lamentable consequences that must ensue from the success of any attempt to trammel it. On one memorable occasion he exclaimed, "Give me but the liberty of the press, and I will give to the minister a venal House of Peers—I will give him a corrupt and servile House of Commons—I will give him the full sway of the patronage of office—I will give him the whole host of ministerial influence—I will give him all the power that place can confer upon him, to purchase up submission, and overawe resistance—and yet, armed with the liberty of the press; I will go forth to meet him undismayed—I will attack the mighty fabric he has reared with that mightier engine—I will shake down from its height corruption, and bury it amidst the ruins of the abuses it was meant to shelter."

* Amongst other publications referring to the objects of this Society, were :—

Letter to R. B. Sheridan, Esq., M.P., on his late Proceedings as a Member of the Society for the Freedom of the Press, 1792.

Observations on the Proceedings of the Friends of the Liberty of the Press. By Sir T. Bernard Bart., 1793.

Apology for the Freedom of the Press and for General Liberty, with Remarks on Bishop Horsley's Sermon, preached January 13, 1793. By the Rev. Robert Hall.

The feeling that prompted the establishment of the Society of Friends of the Liberty of the Press, suggested the Whig political toast which became so widely popular, "The liberty of the press—it is like the air we breathe—if we have it not we die." This was first given at a great political dinner at the Crown and Anchor, and was subsequently echoed and re-echoed over the whole kingdom; gaining, in its repetition, many friends for liberty, who had feelings ready to respond to a patriotic toast, though perhaps destitute of the political knowledge requisite for fully understanding the real importance of a sentiment they were so willing to repeat.

Following shortly after the trial of Paine, several other cases of libel came before the courts. In 1794, Archibald Hamilton Rowan was found guilty of libel, and sentenced to two years' imprisonment, and fined £500. In the same year the Earl Abington was tried for libel, and, in the following year, Mr. Redhead Yorke was proceeded against for seditious libel. In 1796, Daniel Isaac Eaton was tried, July 8, for libels on kingly government, and found guilty.

On the 9th of July, 1796, a cause was tried on the King's Bench, Guildhall, between the proprietors of the Telegraph, (plaintiffs,) and the proprietors of the Morning Post, (defendants,) which deserves a place here, as showing the extent to which the spirit of rivalry had impelled the conductors of opposition Papers. It was proved that, in February, 1795, the defendants had contrived to forward to the office of the Telegraph, from Canterbury, a spurious French Newspaper, containing a pretended renewal of the armistice, and pre-

liminaries of peace between the Emperor and the French Republic. The proprietors of the Telegraph being thus imposed upon to give, as true, a translation of this false fabricated intelligence, and thereby sustaining much discredit with the public, and a diminution of the sale of the Paper, brought an action against the defendants as the authors of such discredit and loss. The case being made out, the jury gave a verdict for the plaintiffs, damages £100. The forged Paper was printed in London,* and a Mr. Dickenson having circulated a report that this forged News was contrived by Goldsmid for stock-jobbing purposes, the money dealer brought an action against his accuser, and recovered £1,500 damages—just fifteen times as much as the jury gave to the Newspaper.

Pitt was quite conscious of the value of Newspaper support; and, if we may rely on the statements of a writer in *The New Monthly Magazine*, steps were taken by that minister to use the local Journals of his day, for the purpose of promoting a popular opinion favourable to the views of his Government. Towards the close of the eighteenth century there was scarcely “a single provincial editor who would have hazarded an original article on public affairs. Their comments were confined to the events of their own town or district, so sparingly administered, with such obvious distrust of their own abilities, and with such cautious timidity, that they were absolutely of no account. The London Papers, a pot of paste and a pair of scissors, supplied all the materials for the miscel-

* *Ann. Register*, Vol. XXXVIII., p. 26.

laneous articles, and the local intelligence was detailed in the most meagre formularies. The provincial journalist of that day was, in fact, not much above a mechanic—a mere printer—and intellect had as little as possible to do with the matter. When Mr. Pitt began to find a constant instrument for the inoculation of his views indispensable to bear along with him the force and currency of popular sentiment, a public officer was instructed to open a communication with the proprietors of Journals of large circulation, and the result was, that to a vast majority of them, two or three London Papers were sent gratuitously, certain articles of which were marked with red ink, and the return made was the insertion of as many of these as the space of the Paper would allow. Thus was the whole country agitated and directed by one mind, as it were; and this fact accounts in no small degree for the origin, propagation, and support of that public opinion, which enabled the minister to pursue his plans with so much certainty of insuring general approbation.”*

“The elergy at this time it would appear,” says the same writer, “were the principal provincial Paper agents in this arrangement, and exercised so much influence, that a few years afterwards some of them made their exertions the ground for a claim on clerical patronage, and in more than one case obtained it from the Government. The success of these efforts on the part of the ministers roused the opposition into action, and Jacobin or Republican Papers, as they were then called, were established, and, by their

* New Monthly, Vol. XLVIII., p. 133.

original articles, materially improved the character of provincial Journalism.”*

The minister, who was so willing to make the press contribute to his popularity, was equally ready to compel it to pay tribute to his exchequer. In several of Mr. Pitt’s budgets, we find Newspapers and advertisements figuring in the list of articles to be subjected to additional taxation, and by his encroachments and those of other equally unscrupulous tax-levyers, the halfpenny stamp of Queen Anne gradually grew up to a stamp duty of fourpence on each Newspaper. And here let us recapitulate the laws on this subject. The act of Queen Anne,† as we have seen, put a tax of a halfpenny on every half sheet, and a penny on every whole sheet. The act of George I. defined “what Newspapers should not be deemed pamphlets”‡ and thus prevented the future evasion of the law of Anne, which had been attempted. George II. laid an additional tax of a halfpenny on Newspapers, and an additional shilling duty on advertisements.§ The first of George III.’s numerous Newspaper laws directs, that no stamps are to be delivered out for Newspapers or pamphlets till security be given for the duties for the advertisements to be printed thereon.|| The next act of George III. (1773)¶ continues the duties imposed by previous statutes. In 1789, an additional duty was granted* of a halfpenny on each Newspaper, and sixpence on each advertisement. No allowance was to be

* New Monthly, Vol. XLVIII., p. 133.

† 10 Anne, c. 19. ‡ 11 Geo. I., c. 8. § 30 Geo. II., c. 19.

|| 5 Geo. III., c. 46, § 8. ¶ 13 Geo. III., c. 65. * 29 Geo. III., c. 50.

made for cancelled Newspapers, but an abatement of £4 per cent. was allowed when £10 worth (or more) of stamps were taken at the same time. "And whereas," continues the act, "an usage prevails amongst the hawkers of Newspapers and other persons, instead of selling the Newspapers, to let out the same for small sums, to be read by different persons, whereby, the sale of Newspapers is greatly obstructed;" this custom, begotten of the stamp acts that raised the price of the Journals, was declared to be illegal, and all who so offended, were rendered liable to a fine of five pounds for each offence.* The same statute drew the cords of the law more tightly about the press. Proprietors of Newspapers are again ordered to join in the security before required to be given for payment of the duties on advertisements, and any one printing advertisements, before giving such good security, is made liable to a penalty of £500. It is further ordered, that if advertisement duties remain unpaid for forty days they may be sued for by prompt process in the Exchequer, whilst persons counterfeiting stamps are to suffer the punishment of death.

In 1794, a law† was passed, to enable the commissioners to stamp the paper used for News purposes in sheets of single demy, instead of sheets of double demy, as had been the custom. The duty at that time on Papers contained in half a sheet or less amounted,

* 1790, July 2. Under this date, we find the following paragraph:—"A stationer near Bond Street, fined £5 for lending out a Newspaper, contrary to the statute."

† 34 Geo. III., c. 72.

in the whole, to twopence; and it was enacted, that the half sheet should not exceed twenty-eight inches in length, and twenty inches in breadth.

Three years later, the Parliament again legislated for the press,* but only to put on an additional half-penny tax. By way of "a reasonable compensation to such publishers of Newspapers who shall not advance the price of their Papers beyond the amount of the duty imposed thereon by this act," it was enacted, "that, for every Newspaper not sold at more than sixpence there shall be a discount allowed on the amount of all duties." This discount was to be £16 per cent. on sums above £10, paid at one time for stamps, but was only to be allowed under certain conditions. Two distinct stamps were also ordered to be used: one denoting any discount allowed, and the other not. A penalty of £20 was also declared against all who did not print on every Newspaper, its full price, or who sold them at a greater price than that so fixed.

The memorable 1798 produced another and more stringent law,† declared to be "for preventing the mischiefs arising from the printing and publishing Newspapers, and Papers of a like nature, by persons not known; and for regulating the printing and publication of such Papers in other respects." These regulations "in other respects" forbade the publication of any Paper until the delivery of an affidavit specifying the names and abodes of proprietors, printers, and publishers, and describing the printing-house and title of the Journal.

* 37 Geo. III., c. 90.

† 38 Geo. III., c. 78.

Various other rules are laid down for securing to the Government a positive knowledge of the names of Newspaper proprietors and printers, and heavy penalties are declared against those who offend the new regulations. The name of the printer and publisher was to appear in each impression after July 1, 1798; a copy of every Paper was to be delivered within six days of its publication to the Commissioners of Stamps, under a penalty of £100. "Such Paper may, within two years after publication, be produced as evidence in any proceeding, civil or criminal." A penalty of £20 was declared for every copy printed without stamp; a penalty of £20 against any person having an unstamped Paper in their possession; a further penalty of £100 for sending unstamped Papers out of Great Britain; and of £500, for sending, or procuring to be sent, Newspapers, "stamped or unstamped, to any country not in amity with His Majesty." Upon oath that any person had a Newspaper intended to be sent to foreign countries, "not in amity with His Majesty, a justice might summon and examine the party, and seize and forfeit the Papers." The twenty-fourth clause of the act recites, that "matters tending to excite hatred and contempt of the person of His Majesty, and of the Constitution and Government established in these kingdoms, are frequently published in Newspapers, or other Papers, under colour of having been copied from foreign Newspapers," any person so offending was to suffer six months imprisonment. These were some of the means taken for crushing the expression of the popular voice; but, as we shall see, they proved insufficient.

In addition to all these laws directed solely towards the press, other statutes were made to bear upon it, for the purpose of repressing the free expression of popular opinion. Thus, in the act for the suppression of seditious societies,* clauses were introduced, ordering all persons having printing presses, to register them at the office of the clerk of the peace, that official being required to send a list of all such registered presses to the Secretaries of State; and, further, directing that all printers should write, upon one copy of every printed sheet, the name of the person for whom it was produced, and be prepared to show this certified copy to any magistrate, who, within six months of its publication, might demand information as to its author.† A penalty of £20 was imposed on those who infringed these new regulations, and the informers reaped a most abundant harvest. Indeed, so troublesome were these rules found to be in practice, that special acts were afterwards (1811) passed, giving the magistrates power to mitigate the penalties in some cases; and, though Castlereagh, carried out, in 1819, the spirit of these laws against the press, to their most tyrannic extreme, the Parliament, when more liberal days came, relieved the printers from the fangs of the common informer, by limiting, to the Attorney General, the power of taking proceedings.

In 1800, a clause was put into the act,‡ generously

* 39 Geo. III., c. 79.

† It was during the debate on this clause, that a member is said to have placed a formal motion before the House, "That all anonymous works have the name of the author printed on the title-page."

‡ 39 & 40 Geo. III., c. 72, § 19.

allowing two and a-half inches to be added to the demy Newspaper sheet—instead of the sheet being 28 by 20, it was permitted to increase to $30\frac{1}{2}$ inches by 20. Four years afterwards the size of the Newspaper sheet was allowed to be extended to 32 inches long by 22 broad.* The same act fixed the stamp duty on Newspapers at threepence halfpenny, which rate was doubled if the sheet exceeded the ordained size.

How the tax was ultimately raised to fourpence, and subsequently reduced from that sum to one penny, we shall hereafter see, merely now noticing the fact that this reduction of the stamp from fourpence to one penny, took effect September 15, 1836. The destructive die came into use, January 1, 1837.

About the close of the eighteenth century, Gifford came into the field as a political writer. The story of his early life and struggles after knowledge is one of the most curious and interesting specimens of self-confession and explanation in our collection of autobiographies. Beginning life as a helpless sea-apprentice and cobbler's-boy, he made his way to the post of literary champion of the aristocracy, fighting their battle in the pages of the *Quarterly Review*. One of his first engagements in the metropolis was on the Political Press. Canning and some friends having made up their minds to start a Paper for the purpose of attacking "the political agitators of the day," the editorship was first offered to Dr. Grant, a writer then esteemed; but, on his refusal to accept the employment, it was given to Gifford, who was doubt-

† 44 Geo. III., c. 98, § 22.

less happy to secure an engagement from men so distinguished as those who set up *The Anti-Jacobin*—for so the new Paper was called. The speculation had no permanent success. The first number appeared in November 20, 1797, and the last was dated July 9, 1798; but this short service, it is said, secured Gifford the appointment of paymaster of the band of gentlemen pensioners, and, at a later period, a double commissionership of the lottery. In his early political days it was that Gifford came in hostile contact with Dr. Walcot. The future hero of the *Quarterly Review*, fired (as in duty bound) a satiric epistle to Peter Pindar, which evidently hit the mark; and subsequent events proved, as in the case of Foote, that the man so clever at lampooning others, did not like to be himself made the subject of satire. The *Anti-Jacobin* was published by a Mr. Wright in Piccadilly, and at the door of his shop stood Walcot, cudgel in hand, waiting an opportunity to chastise Gifford. At length the unconscious victim approached the door, and the indignant Peter Pindar was in the act of striking him on the head with the cudgel, when a quick-eyed and quick-handed passer-by arrested the blow. Gifford fled into the shop followed by Walcot and a crowd, and the latter taking part with the assailed editor, the indignant Peter Pindar was rolled in the gutter, whence he emerged bedraggled in mud, and glad to get safe home. His second attempt at revenge was in type, for he published soon afterwards the poem, “*A Cut at a Cobbler*,” this title being an allusion to Gifford’s early occupation.

Since the temper of a time towards the press has so often to be sought in the records of the courts of justice, some notice of a trial that took place in the latter part of the year, 1799, may close this chapter, and, with it, our notice of the press in the seventeenth century. The record may be brief, but short as it is, it shows that the Newspapers were not only forbidden to speak of tyranny, when exercised in their own country, but that the Attorney General was called upon to be champion of foreign potentates, when the nature of their despotism was described. A writer in the *Courier*, then a popular Evening Paper, had ventured upon the assertion "that the Emperor of Russia was a tyrant among his subjects, and ridiculous to the rest of Europe." This was held by the law-officers of George III. to be a dangerous libel. On the 30th of May, 1799, John Parry, the proprietor; John Vint, the printer; and George Ross, the publisher of the *Courier*, were put on their trial, and convicted in the court of King's Bench, for publishing the paragraph containing the words just mentioned. Mr. Parry was sentenced to pay the sum of £100, to be imprisoned in the King's Bench for six months, and find securities for his good behaviour for five years, himself in £500, and two sureties in £250 each; Vint and Ross to be imprisoned in the same jail for one calendar month each. This result proves that juries were still to be found in England ready, by a verdict of guilty, to bear out the views of those who declared against the free expression of thought in 1799. With all this, however, a vast progress had been made during the period that thus closed. The puny single-paged

Daily Paper of the beginning of the century, had been succeeded by a race of comparatively large well-printed Journals, supplied with numerous advertisements, and conducted with considerable vigour, independence, and talent. This increase in number and size was an indication, too, of an enlarged circle of readers and supporters ; whilst this, in its turn, proved an extension of influence. We shall see presently how this circle extended, until the Newspaper won for itself the position of profit and power it at present enjoys.

APPENDIX.

VOL. I.

No. I.

DR. JOHNSON'S SPECIMENS OF THE "ACTA DIURNA."

*The following passages are from the Preface to "Gentleman's Magazine"
for 1740, written by Johnson.*

A. U. C., i. e., from the building of Rome, 585. 5th of the Kalends of April. *The Fasces with Æmilius the Consul.*—The Consul, crowned with laurel, sacrificed at the Temple of Apollo. The Senate assembled at the Curia Hostilia about the eighth hour; and a decree passed, that the Prætors should give sentence according to the edicts, which were of perpetual validity. This day M. Scapula was accused of an act of violence before C. Bæbius the Prætor: fifteen of the judges were for condemning him, and thirty-three for adjourning the cause.

4th of the Kalends of April. The Fasces with Licinius the Consul.—It thundered; an oak was struck with lightning on that part of Mount Palatine called Summa Velia, early in the afternoon. A fray happened in a tavern at the lower end of the Banker's Street,* in which the keeper of the Hog-in-Armour Tavern was dangerously wounded. Tertinius, the Ædile, fined the butchers for selling meat which had not

* Called Janus Infimus, because there was in that part of the street a statue of Janus, as the upper end was called Janus Summus, for the same reason.

been inspected by the overseers of the markets. The fine is to be employed in building a chapel to the Temple of the Goddess Tellus.

3d of the Kalends of April. The Fasces with Æmilius.—It rained stones on Mount Veientine. Posthumius, the Tribune, sent his beadle to the Consul, because he was unwilling to convene the Senate on that day; but the Tribune, Decimus, putting in his veto, the affair went no further.

Pridie Kalend Aprilis. The Fasces with Licinius.—The Latin festivals were celebrated, a sacrifice performed on the Alban Mount, and a dole of raw flesh distributed to the people. A fire happened on Mount Cœlius; two trisulæ* and five houses were consumed to the ground, and four damaged. Demiphon, the famous pirate, who was taken by Licinius Nerva, a provincial lieutenant, was crucified. The red standard was displayed at the Capitol, and the Consuls obliged the youth, who were enlisted for the Macedonian war, to take a new oath in the Campus Martius.

Kalends April.—Paulus the Consul and Cn. Octavius the Prætor set out this day for Macedonia, in their habits of war, and vast numbers of people attending them to the gates. The funeral of Marcia was performed with greater pomp of images than attendance of mourners. The Pontifex Sempronius proclaimed the Megalesian plays in honour of Cybele.

4th of the Nones of April.—A Ver Sacrum† was vowed, pursuant to the opinion of the College of Priests. Presents were made to the ambassadors of the Etolians. Ebutius, the Prætor, set out for his province of Sicily. The fleet stationed on the African coast entered the port of Ostia, with the tribute of that province. An entertainment was given to the

* Houses standing out by themselves, and not joined to the rest of the street. Most of the great men's houses at Rome were built after this manner.

† A Ver Sacrum, was a vow to sacrifice an ox, sheep, or some such beast, born between the Kalends of March and the Pridie Kalends of June.

people by Marcia's sons at their mother's funeral. A stage play was acted this day, being sacred to Cybele.

3rd of the Nones of April.—Popilius Lenas, C. Decimus, C. Hostilius, were sent ambassadors, in a joint commission, to the Kings of Syria and Egypt, in order to accommodate the differences, about which they are now at war. Early in the morning they went, with a great attendance of clients and relations, to offer up a sacrifice and libations at the Temple of Castor and Pollux, before they began their journey.

The second set of the remains of the *Acta Diurna*, belong to the year of Rome, 691. I have already mentioned how they were discovered, and shall only add, that they are fuller and more entertaining than the former, but rather seem more liable to objections with regard to their genuineness.

Syllanus and Murena Consuls. The Fasces with Murena. 3rd of the Ides of August.—Murena sacrificed early in the morning, at the Temple of Castor and Pollux, and afterwards assembled the Senate in Pompey's senate-house. Syllanus defended Sext. Ruseius of Larinum, who was accused of an act of violence by Torquatus, before Q. Cornificius, the Prætor. The defendant was absolved by forty votes, and voted guilty by twenty. A riot happened in the Via Sacra, between Clodius's workmen and Milo's slaves.

5th of the Kalends of September.—M. Tullius Cicero pleaded in defence of Cornelius Sylla, accused by Torquatus of being concerned in Catiline's conspiracy, and gained his cause by a majority of five judges. The Tribunes of the treasury were against the defendant. One of the Prætors advertised by an edict, that he should put off his sittings for five days, upon account of his daughter's marriage. C. Cæsar set out for his government of the farther Spain, having been long detained by his creditors. A report was brought to Tartinius the Prætor, whilst he was trying causes at his tribunal, that his son was dead. This was contrived by the friends of Copponius, who

was accused of poisoning, that the Prætor, in his concern, might adjourn the court; but that magistrate having discovered the falsity of the story, he returned to his tribunal, and continued in taking informations against the accused.

4th of the Kalends of September.—The funeral of Metella Pia, a Vestal was celebrated; she was buried in the sepulchre of her ancestors, in the Aurelian Road. The Censors made a bargain that the Temple of Aius-Loquens should be repaired for twenty-five ses terces. Q. Hortensius harangued the people about the Censorship, and the Allobrogick war. Advice arrived from Etruria, that the remains of the late conspiracy had begun a tumult, headed by L. Sergius.

No. II.

THE FORGED "ENGLISH MERCURIE."

The following are passages from "A Letter to Antonio Panizzi, Esq., &c., on the reputed earliest printed Newspaper, 'The English Mercurie, 1588.' By Thomas Watts, of the British Museum."

British Museum, 16th Nov., 1839.

The nation, which is yours by adoption and mine by birth, has long claimed an honour which no one has hitherto been found to dispute; and this claim is based on a document preserved among the treasures of the noble establishment to which we both belong. But the English nation and the British Museum are too rich in genuine honours to wish to retain, for an instant, one that is not their due. The object of the present letter is to demonstrate that the claims of the English to the invention of printed Newspapers are unfortunately of no validity, and that the "earliest Newspaper" in the Museum is an imposture. The claim appears to have been

first set up by Mr. George Chalmers, in his life of Ruddiman the Scottish Grammarian, published in 1794.

* * * * *

Mr. Nichols, who, in 1794, had transferred the substance of Mr. Chalmers's statement to the pages of the Gentleman's Magazine, afterwards incorporated it, with an encomium on the sagacity of the discoverer, in the elaborate account of early Newspapers, drawn up by himself, with the assistance of the Rev. Samuel Ayscough, and forming part of the fourth volume of his Literary Anecdotes. Mr. D'Israeli, who, in the early editions of his Curiosities of Literature, had given an article on the Origin of Newspapers, in which no allusion was made to the English Mercury, inserted an account of the alleged discovery, in subsequent editions, almost in the words of Chalmers. An independent account, not taken from the life of Ruddiman, but apparently from a fresh examination of the Mercury itself, appeared in the "Concise History of Ancient Institutions, Inventions, &c., abridged and translated from Professor Beckmann, with various important additions," published at London, in two volumes, in 1823. From these authorities, it is no wonder the information found its way into the Cyclopædias, and other compilations of a similar nature. It is given at some length in the Encyclopædia Londinensis, the Metropolitana, the new edition of the Britannica, and the British Cyclopædia, under the head *Newspapers*. The Conversations-Lexikon of Brockhaus, and the Neuestes Conversations-Lexikon of Wigand, mention it in the article *Zeitung*; the Dictionnaire de la Conversation et de la Lecture, under the head *Gazetier*; the great Russian Entsiklopedicheskii Leksikon, under that of *Gazeta*. It appears in the Encyclopædia Americana, published at New York, and in the new edition of that work, with alterations and improvements, now publishing at Glasgow. In miscellaneous works on origins and inventions, it has generally found a place. Even the circulation given to the statement by these channels is, however, inferior, in all probability, to that it has obtained by the means of Newspapers and miscellaneous periodicals, such as Hone's Year Book, the Saturday Magazine, Chambers' Edinburgh Journal, &c. &c. For the last thirty or

forty years, it has formed a regular standard article of curious information, and by constant repetition, in and out of season, has been made familiar to almost every desultory reader in the kingdom.

There could hardly, in fact, be any circumstance in literary history, apparently established on a firmer foundation than this. A statement originally made by a respectable authority, and repeated by so many others, was supported by a reference to a document preserved, not in a private library, or in one difficult of access, but in the most public, the most easily accessible, the most universally frequented collection in the capital. Any doubt or suspicion that might arise, could be confirmed or dispelled at once by applying for the volume, which was daily within call of hundreds of literary men, both English and foreign.

This document, on which, for nearly half a century, so important a statement has rested undisturbed and unchallenged, is, however, in reality of so very questionable a character, that to see it was to suspect it, and to examine was to detect. On the 4th inst., I was induced to refer to the "English Mercurie," by a consideration respecting it suggested in the article "Armada," in the Penny Cyclopædia. It is there pointed out that, as the numbers of the *Mercury* in the Museum are "marked as Nos. 50, 51, and 54, in the corner of the margin, we are to conclude that such publications had occasionally been resorted to at critical times, much anterior to the event of the Spanish Armada." It struck me that the marginal numbers referred to might possibly be merely added in manuscript, in order to facilitate reference. On the book being brought, I had not examined it two minutes, before, to my surprise, I was forced to conclude that the whole was a forgery. I handed it to Mr. Jones, my colleague in the library at the Museum, and he immediately arrived at a similar conclusion. At that instant, you, my dear sir, came up, and I put the volume into your hands, with an inquiry whether you thought that the printing was executed in the year 1588. After a moment's examination, you unhesitatingly declared it impossible. I pointed out the other marks of unauthenticity that

I had detected, your hasty inspection supplied still others, and the unaccountably successful imposition of fifty years was shattered to fragments in five minutes. Not a single individual of many who have since examined the "English Mereurie" has imagined that the date of 1588 could be at all supported.

The documents, of which the credit was thus suddenly and singularly extinguished, are more in number than Mr. Chalmers's statement would lead his readers to imagine, and partly different in kind. They consist altogether of seven distinct articles, three of which are in print and four in manuscript. Each professes to be a number of the English Mercury; but as two of the manuscript articles are duplicates of two of the printed, there are only five distinct numbers of the Newspaper.

* * * * *

The first thing that arouses suspicion in the printed numbers is, as has been already stated, the first thing that catches the eye—the form of the type. Instead of being that of two centuries and a half, it is that of about a century back, the "English fount," in fact, bearing a strong resemblance to that in Caslon's Specimens of Type, published in 1766. A single glance at the pages, however, is in this case more efficacious than volumes of description could possibly be. Their whole appearance decidedly stamps them as having issued from the press in the eighteenth, instead of the sixteenth century. There is, moreover, one peculiar characteristic about the printing, sufficient, if the shape of every letter were ancient, to betray the secret of its modern execution. The distinction between the u's and v's, and the i's and j's, utterly unknown to the printers of the sixteenth century, is here maintained throughout in all its rigour. This circumstance would alone, if others were wanting, be decisive against the supposed antiquity of the printed English Mercuries.

* * * * *

It is, however, hardly necessary to dwell on minor and speculative points, when so much conclusive proof remains to be brought forward. It is no less strange than true, that, bound up with these printed Mercuries, which have so long deceived the world, has lain all the while unexamined, in their

manuscript duplicates, the most convincing, the most irrefragable evidence that the whole affair is a fraud. That the manuscripts A and G are the originals from which the printed copies C and D have been taken, is a fact that admits of no question. In all the alterations, and they are numerous, which occur in the manuscripts, the printed copy faithfully follows them, except, as has already been mentioned, in the orthography of one paper. It has been suggested that this may be the case, and yet that the manuscript may not be the original, but a transcript from some earlier printed copy not found or known to exist. But this hypothesis is inadmissible. The alterations in the manuscript are not those of a transcriber, but of an author. They extend not only to the wording, and that in cases where a transcriber could not possibly mistake, but to material points of the statements—to circumstances, numbers, and names. They are so very numerous, that a transcriber who could perpetrate such a series of blunders must be a moral phenomenon. And lastly, the corrections are, in many cases, themselves corrected; sometimes by a return to the original statement or mode of expression—a circumstance likely enough to occur often in the alterations of an author, but never in the corrections of a copyist. One instance of this is singular. In F the title was originally written, “The English Mercury.” A line was drawn through it, and the “State Intelligencer” substituted; and this again was afterwards rejected, and the “English Mercury” restored.

* * * * *

The handwriting of the manuscript is as modern as the type of the printed copies; *and the spelling is modern spelling*, while in the printed copy it is antiquated. The letter from Madrid begins thus in the printed copy C:—

“Madrid, July 16. We have now a certain account that the Duke de Medina sailed from the *Groyne* the 11th of this month, after thoroughly repairing the damages he sustained in the last storm. The *Invincible Armado* (as it is called) consists of one hundred and fifty sail of all sorts; having on board twenty-one thousand eight hundred land forces, the

verie flower of the armie in old Spayne, exelusive of two hundred and twenty-four volunteers of the first qualitie, with their servants," &c. &c.

The printer seems, in this instance, to have taken on himself the task of giving the spelling the proper antique flavour, and not to have succeeded very well. With D and G the case is different. There the author has himself taken the pains to disguise his orthography. In the "Advertisements of Bookes," which Chalmers has extracted, the e has been inserted between the k and the s; and in the word "ymprinted," at the bottom of the advertisements, the original initial i has been altered to y. In all the manuscripts of which there are no printed copies, the spelling is left uncorrected. It is entirely modern, therefore, in Chalmers's extract of James's reply to the Queen's minister; but the circumstance seems to have escaped the observation of Chalmers, and of all who copied him. To the modern character of the writing and the spelling, a third anachronism remains to be added; the paper on which the manuscript is written bears the watermark of the royal arms, with the initials "G. R."

The whole style of composition observable in the *Mercury* is, like every thing else about it, of a much later date than that to which it pretends. Mr. Chalmers defies, and with reason, the "Gazetteer of the present day to give a more decorous account of the introduction of a foreign minister," than the writer of this earliest of English Gazettes. "It is very curious," remarks Dr. Lieber, in the *Encyclopædia Americana*, "to observe how much the mode of communicating certain articles of intelligence in these early Papers resembles the forms in use at present." It is more than curious; it is wonderful. The general impression left on the mind by the perusal of the *Mercury* is, that it must have been written after the *Spectator*. To investigate the rise and progress of particular words, phrases, and modes of expression, demands a degree of research which would be misapplied on the present occasion; but two observations of the kind which have presented themselves ought not to be passed over. The "*Mercury*" speaks of

“Regiments,” as if the phrase were perfectly familiar to English ears; but Hakluyt, in 1598, writing of the Spanish Armada, is not of the same opinion. “There were,” he says (translating Van Meteren, with a slight alteration), “in the said nauie five *terzaes* of Spaniards (which *terzaes* the Frenchmen call regiments).” The “Advertisements of Books, like those of the present times,” quoted by Mr. Chalmers, are an instance of anticipation both in the word and the thing. In Richardson’s Dictionary, no instance is given of the use of the word in this peculiar sense anterior to the Tatler. Nichols, in his account of Newspapers, after having quoted Chalmers’s discovery of the English Mercury, tells us, some few pages further on, as a discovery of his own, that No. 7 of the Impartial Intelligencer, which commenced in March, 1648-9, contains the first regular advertisement, which is “from a gentleman at Candish, in Suffolk, respecting two horses which had been stolen from him.” He had either not observed, or had forgotten, the far more remarkable advertisements for books in the all-anticipating English Mercury.

One of the most searching of tests remains to be applied. It is yet to be seen how far the statements of historical events in the English Mercury correspond with those of historians respecting whose authority there is no room for doubt. The first article of intelligence in the Mercury will serve the purpose:—

“Whitehall, July 23d, 1588.

“Earlie this Morninge arrived a Messenger at Sir *Francis Walsingham’s* Office with Letters of the 22d from the Lorde High Admirall on board the *Ark-Royal*, containinge the followinge materiall Advices.

“On the 20th of this Instant Capt. *Fleming*, who had beene ordered to cruize in the chops of the Channell, for Discoverie, brought Advice into *Plymouth*, that he had descried the *Spanish Armado* neare the *Lizard*, making for the Entrance of the Channell with a favourable Gale. Though this Intelligence was not received till near foure in the Afternoone, and the Winde at that time blew hard into the *Sound*, yet by the indefatigable Care and Diligence of the Lorde High Admiral, the

Ark Royal, with five of the largest Frigates, anchored out of the Harbour that very Evening. The next morninge, the greatest Part of her Majestie's Fleet gott out to them. They made in all about eighty Sail, divided into four Squadrons, commanded by his Lordship in Person, Sir *Franeis Drake* Vice-Admiral, and the Rear-Admirals *Hawkins* and *Forbisher*. But about one in the Afternoone, they came in Sighte of the *Spanish Armado* two Leagues to the Westward of the *Eddystone*, sailing in the Form of a half Moon, the Points whereof were seven Leagues asunder. By the best computation, that could be made on the sudden (which the Prisoners have since confirmed) they cannot be fewer than one hundred and fifty Ships of all Sorts; and severall of them called Galleons and Galleasses, are of a Size never seene before in our Seas, and appeare on the Surface of the Water like floatinge Castles. But the Sailors were so far from being daunted by the Number and Strengthe of the Enemie, that as soon as they were discerned from the top-mast-Head, Aeclamations of Joy resounded through the whole Fleete. The Lord High Admirall observing this generall Alacritie, after a Council of War had been held, directed the Signall of Battle to be hung out. We attacked the Enemy's Reare with the Advantage of the Winde: The Earle of *Cumberland* in the *Defianee* gave the first fire: my Lord Howard himselfe was next engaged for about three hours with Don *Alphonso de Leyva*, in the *St Jaques*, which would certaynly have struck, if she had not been seasonably rescued by *Ange de Moneada*. In the meane tyme, Sir *Franeis Drake* and the two Rear-Admirals *Hawkins* and *Forbisher*, vigorously broad-sided the Enemies sternmost Ships commanded by Vice-Admiral *Reealde*, which were forced to retreat much shattered to the maine Body of their Fleete, where the Duke *de Medina* himselfe commanded. About Sun-set we had the pleasure of seeing the invincible *Armada* fill all their sails to get away from us. The Lord Admirall slackned his, in order to expect the Arrivall of twenty fresh Frigates, with which he intendes to pursue the Enemie, whom we hope by the Grace of God to prevent from landinge one man on *English* Grounde. In the night the *St. Francis* Galleon, of which Don *Pedro de Valdez*

was Capitaine, fell in with Vice-Admirall *Drake*, who tooke her after a stout Resistance. She was disabled from keepinge up with the rest of the Fleete, by an Accident which happened to her, of springing her Fore-maste. She carryes fifty Guns and five hundred men, both Souldiers and Mariners. The Captours found on board five thousand Golde Dneats, which they shared amongst them after bringing her into *Plymouth*."

The dates in this intelligence are worthy of observation: they are truly remarkable. Early in the morning of July the 23rd, arrives at Whitehall a messenger with letters of July 22nd, from the Lord High Admiral. Where, then, is the Lord High Admiral? Out at sea in the *Ark Royal*, so situated that he can give intelligence from Plymouth on the morning of the 22nd. For it will be noticed, that the "*St. Francis Galleon*, of which Don Pedro Valdez was captain," is taken, according to the Admiral's account, by Sir Francis Drake, on the night of the 21st, and afterwards brought into Plymouth, and the prize-money shared among the men, which, considering all things, could hardly have taken place before early in the morning of the 22nd. Here, then, we have a piece of News conveyed from Plymouth to London, a distance of 215 miles, in four-and-twenty hours—a degree of rapidity in conveyance which fairly equals the rapidity in sharing the prize-money, and which, before the invention of telegraphs, steamboats, and railways, might, one would think, have excited the astonishment and admiration of any Gazetteer. Having thus examined the statement by its own light, let us see how far it corresponds with the relations of contemporary historians. Unluckily for himself, the Gazetteer has chosen for his narration a portion of time, of which there are in existence more minute records than, perhaps, of any other equally remote;—quite minnte enough, at least, to demonstrate how much at variance with trnth is the statement he has attributed to the Lord High Admiral. To search the Cottonian manuscripts, or other recondite documents, is needless: the common accounts of the night of the 21st and of the day following are amply sufficient. On that night, Meteren informs us, Drake, far from doing good service, was

committing an act which nearly led to the destruction of the Admiral. "Sir Francis Drake," says Hakluyt in his translation, "(who was, notwithstanding, appointed to beare out his lanterne that night) was giuing of chase unto five great Hulkes which had separated themselves from the Spanish Fleete, but finding them to be Easterlings, he dismissed them. The lord Admirall all that night following the Spanish lanterne instead of the English, founde himselfe in the morning to be in the midst of his enemies' Fleete, but when he percived it hee cleanly conveyed himself out of that great danger." The same account is given by Speed and Grimeston, but the story is so confusedly told in Camden, that any one manufacturing a Newspaper account from his statement might easily be led into error. "The day following, which was the two and twentie of July," continues Hakluyt, "Sir Francis Drake espied Valdez his shippe, whereunto hee sent forth his pinasse," and a minute account is given of the capture of Valdez, who, far from making a "stout resistance," surrendered without striking a blow. We afterwards learn, that the Admiral, having in the morning been "left alone in the enimies Fleete" in advance of the English, "it was foure of the cloeke at afternoone before the residue of the English Fleet could ouertake him." The contradictions here are almost too numerous to be counted. If we are to consider the *Mereury* authentic, the Admiral must have forgotten, in his despatches, every event worth recording—the neglect of Drake, the night of unconsious peril, the startling discovery of the morning, and, finally, the separation from his own fleet during nearly the whole of the very day of the date of the letter!

With this instance our historicial proofs of the spuriousness of the English *Mercury* have begun, and with this they may end. It is hardly worth while, after this series of blunders in one article, to mention even that Sir Francis Vere is called Sir Francis some months before he was knighted, and made a noted character before he had done his earliest celebrated feat of arms."

[Mr. Watts, in his letter, gives other conclusive proofs of the forgery; and since the publication of his pamphlet, having

pursued the subject, has been able to fix the commission of the literary crime (for crime it certainly is) upon the second Lord Hardwicke. The identity of the hand-writing of that nobleman with the MS. from which the English *Mercurie* was evidently printed, appears to place the matter beyond further doubt. In the Memoirs of Lord Hardwicke there is a vague allusion to this affair. The English *Mercurie* forms a part of Dr. Birch's MSS., and the detection of this fraud throws a painful doubt over the authenticity of other documents which have passed as genuine into our national library, on the authority of that collector.]

END OF VOL. I.

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